New-York Daily Times.

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New-York Daily Times.

LATEST INTELLIGENCE

By Telegraph to the New-York Daily Times.

NATIONAL AFFAIRS.

ARBITRATION INSTEAD OF WAR.

Refunding Duties on Goods Destroyed by Fire

JUDGES SALARIES FIXED.

PROGRESS OF THE INDIAN APPROPRIATION BILL.

GEN. SCOTT A LIEUTENANT-GENERAL.

OUR SPANISH TREATIES.

French Spoliation Bill—Lieut. Gen. Scott.

Special Dispatch to the New-York Daily Times.

WASHINGTON, Monday, Feb. 12.

The rumor to-day that the President had signed the French Spoliation bill, arose from a message sent by the agent having it in charge to Mr. CLAYTON, to the effect that the President would send it in to-day. This is not confirmed, but hopes are reviving. Mr. CUSHING's influence is strongly in favor of approval.

The resolution passed to-day conferring the rank of Lieutenant-General, will give General SCOTT about $20,600 back pay, and about $1,600 additional yearly.

The statements that the relations between Mr. SUMNER and the new Senator, Mr. WILSON, are not cordial, are wholly unfounded. s.

Democratic Legislative Caucus in California—Statements Incorrect.

Special Dispatch to the New-York Daily Times.

WASHINGTON, Monday, Feb. 12.

The statement published in the California News received by the *North Star*, that a caucus of the Democrats of the California Legislature had cast forty-five votes for D. C. BRODERICK for United States Senator, to succeed Dr. GWIN, is clearly erroneous, as future advices will show. There are in the Legislature seventy-two Democrats, including five Know-Nothing Democrats. Of these BRODERICK has not more than twelve, and will probably not be able to hold much more than half that number after the second or third ballot. The true state of the facts is, that forty-five Democrats met in caucus, but the caucus not being full as desired they adjourned, without making any nomination, to meet again the evening of the 16th. These false reports are not about by designing parties doubtless, in the vain hope of impairing Mr. GWIN's influence and usefulness here. He can afford to defy such tricks. s.

Augustus Caesar Dodge's Appointment and How he was Appointed—Other Appointments.

Special Correspondence of the N. Y. Daily Times.

WASHINGTON, Saturday, Feb. 10, 1855.

A bomb falling in the centre of a crowded and sleeping camp, could create no greater surprise, not to say consternation, than did the nomination of Hon. AUGUSTUS CÆSAR DODGE, Senator from Iowa, to be Minister Plenipotentiary of the United States at the Court of Madrid! The President of the United States never before accomplished so brilliant a *coup d'etat* as was this nomination. Let us see how it was done. Mr. DODGE, of all Northern men in the Senate, has been the most servile in his sacrifice of his constituents to the demands of the Slave Oligarchy of Compromise-breakers. True, he has been bolder than most others in defying the public will he disregards. If it be any credit to him, he has at no time manifested the slightest indication of any twinge of conscience. The blush of shame has never once mantled his cheek during all the time that he has misrepresented his State.

Iowa embraced the first opportunity within her reach to rebuke his rascancy and hurl him from place and power. A true man has been elected to fill the seat he now occupies, and the 4th of March next closes Mr. DODGE's political career, unless he goes over *in propria persona* to the exacting minority whose instrument, for evil, he has become,—and even there he would not be certain of advancement; for a man who has once proven unfaithful, is not likely to be trusted again elsewhere, unless his delinquency has been entirely forgotten. Under these circumstances it became a duty to "take care" of the Senator who was so shockingly damaged in the Nebraska fight. This became the more important when the faithful Senator from New-York—whom DODGE had so often, so bitterly and so vulgarly reviled—was returned in triumph to the Senate, in vindication of his faithfulness, at the same time when the Iowa Senator was called upon by his people to yield up the trust he had so abused.

Preparatory to his nomination, and only a few days ago, a paper was circulated on the floor of the Senate, for signature by Democrats, recommending DODGE, generally, to the President for appointment to some office, not described, however, in the document. Nobody dreamed that the retiring Senator aspired to a foreign mission. It was impossible to think of him and as Ambassador in the same hour, so entirely antipodal are the two characters. The prevailing idea among a portion, at least, of those to whom this paper was presented, was, that DODGE was to be neutralized off with an upper-class Clerkship, or possibly a Federal appointment at home, or at most an Executive appointment in one of the Departments. It was, therefore, no difficult matter to get the signatures of charitably disposed Democrats to the DODGE recognition paper.

But when the nomination was received in the Senate everybody was struck with almost stupid astonishment, and before Senators had fairly recovered, the vote was taken and the deed done. Lewis HAMILTON could have managed the whole affair with more consummate skill, and if he has any wish—any *if* left to circumvent, it will not be surprising if he finds it advantageous to offer such price for the aid and counsel of our Minister at Madrid, as will permanently relieve this country of his presence, and perhaps give our President the Spanish Mission back again in time to make it available for the payment of some other victim by the recoil of the Nebraska bill.

There is one important political indication to be gathered from this appointment, to wit, that our relations with Spain are deemed by the President not to require the slightest efforts of diplomacy, for certainly if there were any international questions to be discussed and settled with Spain, Mr. DODGE would not be selected for the mission. I say this in all sincerity, and rely with confidence upon every man of discriminating judgment, who knows even so much of Mr. DODGE as is to be learned from reading his speeches in the Senate and elsewhere, to sustain this opinion.

Mr. BRECKINRIDGE, in declining the Madrid mission, vindicates the judgment of your correspondent. He and his friends do not think it best that he should accept the place. When I complimented him for talents which are likely to give him leading position at the Bar or in the forum, but suggested that he did not possess the peculiar qualifications essential to successful diplomatic career, my remarks were distorted into unkind reflection upon Mr. BRECKINRIDGE. I thank him for having sustained my view of the case. His course in declining diplomatic honors is another evidence of the practical common sense I have always accorded him. *He*, at least, evidently can comprehend that an excellent lawyer might make a very poor dancing master, and his inability to turn skillful *Pirouettes* is no evidence that he is a fool.

SAMUEL J. COX, who has been confirmed by the Senate to be Secretary of Legation at Lima, Peru, is the able editor of the Ohio *Statesman*, and is an educated and agreeable gentleman. From some personal knowledge of him, I cannot doubt that his appointment will reflect credit upon the Administration. The withdrawal of JOHN B. MILLER's nomination for this place, is commented upon with much bitterness by the SEYMOUR men. The movement against MILLER was led exclusively by J. C. MATHER and T. R. WESTBROOK, retiring M. C. from Ulster County, MATHER and MILLER are personal enemies, and have been so for some time past. WESTBROOK's ire was drawn upon the devoted MILLER's head, by an article which the latter had the impudence to publish as an editor of a "free American press," denouncing WESTBROOK's treachery to Freedom by his vote in favor of the Nebraska bill. WESTBROOK and his course have both been repudiated by his constituents, who evidently think MILLER was right; so there was nothing left for the former but noble revenge upon the editor who presumed to be a freeman and express his views upon the member's public acts. Unless Mr. WESTBROOK possesses a very mean conscience and a still meaner mind, his victim will the happier, and he must be the prouder man of the two, as he walks among his fellows.

I learn that the sloop of war *Falmouth*, which it was supposed had gone to Bird Island, has put back to Norfolk, leaking badly. The Secretary promises to dispatch another vessel to the aid of our guano diggers, at the earliest opportunity. The statement that Commander FOOTE of the Navy is to command the Arctic Expedition, to search for Dr. KANE and his comrades, was premature. He does not contemplate that service.

Of all the gay assemblages at Washington during the present Winter, a ball given to his guests by mine host of Willard's Hotel, on Wednesday evening last, was one of the most pleasant and most fashionable. All the arrangements for the occasion were as near perfect as could be—and the company embraced a large share of the beauty and the *elite* of Washington society. The ball was given in the great dining-room of the Hotel—one of the finest rooms of its kind, by the way, to be found anywhere in the country. Its dimensions may be imagined when I say that not less than three hundred gentlemen and ladies are estimated to have been upon the floor, *engaged in the mazy dance*, at one time. Some eleven hundred persons in all participated in the brilliant scene. It is but a just tribute to the enterprise and liberality of the WILLARDS, to say that their supper table was as beautifully arranged as it was replete with every delicacy that the market affords. It is not often, I take it, that a Hotel Proprietor compliments his guests with so expensive a festival.

If I thought I should not be estracised for my temerity, I would embrace this opportunity to present a suggestion or two in relation to the style of "full dress," so called, adopted recently by very many of our ladies on public occasions. At the risk of many frowns, cast from brows which I should much regret to see thus distorted, I must be permitted to suggest that fashion, in this particular, never, within my recollection, was so regardless of good taste, not to say of modesty, as now. Ladies' evening apparel is anything but "full" dress, in the literal sense—at least in many instances. The unobjectionable exposure of the throat and neck, which replaced the stiffly starched standing collars or ruffles of olden times, has been caricatured of late, until now our fashionably-arrayed lady can scarce be said to wear any waist whatever to her dress, save a broad belt next the skirt, and a narrow strap from it around the upper part of the arm. I admit that *this* picture is very slightly overdrawn, but I know not how better to intimate the infinite distaste which sensible men express when speaking of the prevailing fashion.

I know full well that many excellent, amiable and well-bred ladies indulge in this style thoughtlessly. The mantumaker oftentimes is left to suit her own idea of taste and fashion; and the gentle wearer, when she does for the first time the strange, unnatural apparel, stifles her better judgment by the careless reflection, "It is the fashion!" Let me assure you, fair readers, that the true gentleman cannot and does not admire slavery to fashion at the expense of health, good taste, and—must I say it?—modesty. I design no reflection; but I submit it to the better judgment of the fair sex in their moments of cool reflection, whether such exposure of their persons as is oft witnessed in fashionable society now-a-days can be long indulged in by the gentlest and the purest without a loss of that exquisite sense of refinement and delicacy which, to the female character, is like the moss to the rose—the crowning grace of loveliness! s.

Political Rumors.

Correspondence of the Philadelphia Ledger.

WASHINGTON, Saturday, Feb. 10, 1855.

Mr. BRECKINRIDGE, the newly-appointed Minister to Spain, stated yesterday on the floor of the House, that the appointment having been conferred upon him without his knowledge, he had been allowed time to reflect upon it, and had come to the conclusion that it was better for him to decline. The President nominated AUGUSTUS C. DODGE, the present Senator from Iowa, as Mr. BRECKINRIDGE's successor, and the appointment was at once confirmed. Mr. DODGE is a fine, manly specimen of a representative of the West—a thoroughly national man, and a good appointment. With the return to the conservative policy of Mr. MARCY, the duties of our Minister to Spain will be light. If he mixes himself popular with the Spanish people, and fearth and fight nobody, he will have fulfilled his mission.

The appointment of Mr. APPLETON of Maine, to the Secretaryship of Legation to England, is also very creditable. Mr. APPLETON is a gentleman of cultivation and bearing, of modest and agreeable manners, and of a disposition well adapted to the latitude of London. On the return of Mr. BUCHANAN from England, Mr. APPLETON will make an excellent Chargé d'Affaires *ad interim*. The appointment of JOHN B. MILLER was withdrawn, and Mr. COX of Ohio, substituted for Secretary of Legation to Peru. Other appointments were made, of an unimportant character.

There seems to be some disagreement between the Government organs in Washington, and some farther disagreement between the organs and a large and respectable portion of the Democratic members and Senators in Congress. Congress, however, is so rapidly drawing to a close, and public matters point so visibly to an entire change in public opinion, that these matters remain unheeded.

The New-York Softs, who, for some time past, had garrisoned the hotels in Washington, have left us. A rumor prevails that the New-York Democrats are to have a large Consolidation meeting of Hards and Softs, and that some great National Democrat, now here in Washington, is to preside over it, or make a speech. They may hold the meeting, but I doubt whether the person selected to preside over them, or to address them, will be forthcoming. After all, the meeting will not nominate General PIERCE nor Governor MARCY, but Governor SEYMOUR, who is believed to be the only man who can unite the Democracy of the Empire State. OBSERVER.

THIRTY-THIRD CONGRESS---Second Session.

SENATE....WASHINGTON, Monday, Feb. 12.

Mr. HOUSTON offered a resolution, which was agreed to, asking the Secretary of War for information respecting Fort Leavenworth.

Mr. JONES of Iowa presented a memorial from the Legislature of Iowa, in favor of the overland mail and line of telegraph to the Pacific. Ordered to be printed.

PEACE PROPOSITIONS.

Mr. SUMNER presented a petition from the citizens of Providence, in favor of stipulating in treaties with other Governments, that arbitration instead of war shall be the mode of settling national disputes. Also, a petition from the citizens of Worcester, that Slavery be expressly prohibited in all territories by the act of Congress. He also introduced a bill to secure the wages of seamen in case of wreck, and said, by the existing maritime laws, wages are made to depend on the voyage; so that in the total loss of the ship and cargo, the sailor loses his wages. This hardship has been removed in England by the act of Parliament. The bill I introduce will remove it so far as this country is concerned.

Mr. PRATT presented the petition of the citizens of Georgetown, D. C., that the Long Bridge over the Potomac be removed. Ordered to be printed.

Mr. SEWARD introduced eight separate bills, pursuant to previous notice, for improving the Lakes and Harbors, which, on motion of Mr. STUART, were referred to the Committee on Commerce.

REFUNDING DUTIES ON GOODS DESTROYED BY FIRE.

Mr. SEWARD then called up the bill to remit or refund the duties on goods destroyed by great fires, which was reported by the Finance Committee on the 6th inst. Passed.

The following is an abstract of the bill: "The Secretary of the Treasury may remit or refund the duties on embrokes and original packages destroyed by fire, which were imported between the 7th of July, 1836, and the 30th of March, 1854. The Collector and Naval Officer are to be commissioned to ascertain these losses, and the goods must have been destroyed within five years, and if imported subsequently to the passage of this act within two years from the time of the importation. The testimony before the said Commissioners must be in writing—*pro rata* allowances to be made for damage when the goods are not entirely destroyed. If there is no naval officer in the district where the goods are destroyed, then the District Attorney or some other collection officer, with the collector, shall comprise the commission.

DISTRICT CONCERNS.

Mr. DAWSON stated that in consequence of the death of Mr. NORRIS, the Chairman of the Committee for the District of Columbia, important measures for the benefit of the inhabitants of Washington and Georgetown had not been considered. He moved that all the bills relating to that subject be made the special order for Wednesday next. Agreed to.

UNITED STATES CIRCUIT COURT FOR CALIFORNIA.

Mr. TOUCEY called up the bill establishing the Circuit Court of the United States for California. Discussed and passed.

JUDGES' CLAIMS.

Mr. PETTIT then called up the bill fixing the salaries o the District Court Judges of the United States.

The Salary bill was discussed by FESSENDEN, PETTIT, TOUCEY, MALLORY, CLAYTON, BELL and GWIN, and finally passed without amendment.

INDIAN APPROPRIATIONS.

The Indian Appropriation bill was taken up. Light amendments were made on motion of members of the Committee on Finance and Indian Affairs. The amendments were as follows: Appropriations to colonize Texas Indians and purchase agricultural instruments, and for establishing common schools and agencies where none now exist; for severing the superintendency of Indian affairs from the Governors of Washington and Minnesota Territories, to increase Indian reservations in California.

Mr. WELLER thought, that with little fostering by Government, the Indians would soon be able to take care of themselves.

Mr. GWIN commended the plan, offering an amendment appropriating money for the publication of Indian statistics.

Mr. SHIELDS offered an amendment providing that the paymasters of the army whose accounts are not liquidated, be paid one and a half per cent. on collections and disbursements. This applies to only one paymaster and the widow of a deceased one, and their claims arose during the Mexican War collections of duties.

The last amendment was objected to on the ground of its being a private bill, as only two beneficiaries are included.

A long desultory debate ensued, after which it was decided to be in order, and the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WASHINGTON, Monday, Feb. 12.

The resolution of Mr. JONES of Tenn., was adopted, that for the remainder of the session all debate in Committee of the Whole on the State of the Union shall be confined strictly to the question or proposition under consideration, except during such evening sessions as a majority of the House may order for general debate.

LIEUTENANT-GENERAL SCOTT.

On motion of Mr. BAYLY of Virginia, the House suspended the rules to take up the Senate's joint resolution authorizing the President to confer Brevet title of Lieutenant General on General SCOTT for his eminent military services. Passed by a vote of 126 against 65.

Mr. GIDDINGS vainly sought to offer the following resolution:

Whereas, The true policy of this and all republican Governments consists in maintaining peace as far as possible with all nations, and discouraging the spirit of war and racing, therefore,

Resolved, That Major-General WINFIELD SCOTT, for his persevering efforts to maintain peace and avoid bloodshed on our Northeastern and Northwestern frontiers when they were threatened with violence and war, is entitled to the thanks of Congress and the gratitude of American people.

MISCELLANEOUS.

The House passed a bill establishing an additional land district in Wisconsin.

Mr. McDOUGAL moved the suspension of the rules in order to report a bill authorizing a daily Express Mail between St. Louis and San Francisco. Not agreed to, by a vote of 104 against 65.

SPANISH TREATY.

The House considered the joint resolution to fulfill the stipulations of the article of the treaty of 1819 between the United States and Spain. It directs the Secretary of the Treasury to pay the persons entitled to receive the same, the full amount of damages decreed by Territorial and District Judges of the United States for losses in East Florida. The persons involved in over one million of dollars. Without concluding the subject, the House adjourned.

From Washington.

WASHINGTON, Monday, Feb. 12.

The joint resolution to carry into effect the ninth article of the treaty with Spain in 1819, which provides for the proper measure of damages to the citizens of Florida for the use of property taken and withheld by the United States Army, will probably pass in the House to-morrow. The resolution is urged with much ability by Mr. STANTON, the Chairman of the Judiciary Committee, and finds great favor in the House and among the outsiders.

There is considerable disaffection among the Ohio Democrats, now here, at the nomination of Mr. WILSON as Judge of the new District of Ohio, they wishing for RANNEY, of their Supreme Court. Great influence will be exerted by them on Senators against the confirmation, and it looks likely to be successful.

Mr. McLean at Singapore.

WASHINGTON, Monday, Feb. 12.

The Singapore *Free Press* of Dec. 1, says that Minister McLEAN was about to leave for Bankok to negotiate a new Commercial Treaty with the King of Siam.

From Washington—Appointments.

WASHINGTON, Monday, Feb. 12.

HIRAM H. ROBINSON has been nominated for Marshal; HIRAM V. WILSON, Judge; and HUGH J. JEWETT, District Attorney for the new Judicial District in Ohio.

Supreme Court.

WASHINGTON, Monday, Feb. 12.

No. 51—Richard H. Hendrickson vs. Samuel Hinckley—appeal from the United States Circuit of Ohio. Judge CURTIS delivered the opinion of the Court, affirming the decree of the Circuit Court with costs.

No. 47—City of Boston vs. D. R. Legraw. Judge GRIER delivered the opinion of the Court, reversing the judgment with costs.

No. 44—United States vs. Archibald A. Ritchie. Argument was commenced by Attorney General on the part of the United States.

NEW-YORK LEGISLATURE.

SENATE....ALBANY, Monday, Feb. 12.

The Census bill was discussed by the Committee of the Whole, the question being on Mr. DICKERSON's amendment, taking the appointment of Marshals out of the hands of Supervisors and Council, and giving same to the Secretary of State.

Adjourned.

ASSEMBLY.

The Assembly met at 7 o'clock. Mr. STUYVESANT, of New-York, rose to a question of privilege, to explain that he was absent from the Senatorial election through illness, and should have voted for Mr. SEWARD had he been present.

BILLS REPORTED.

Favorably to enable the City of Brooklyn to borrow money; to improve the supply of Croton water in New-York.

The Temperance bill was reported complete by a Special Committee with amendments. Mr. AITKEN, from the minority, objected to the introduction of the report, as the Committee had not had time to meet together.

The question being on reception of the report, the same was, on motion, laid on the table.

The many amendments are making it an offence punishable by $50 fine, or committal, to get intoxicated, unless the person so offending gives full testimony as to where and of whom he procured the liquor, and an imposing fine of $100 and three months' imprisonment on any person or company engaged in carrying on the trade, who shall act as agent for the purchase of liquor for any except licensed dealers.

The bill authorizing the raising of a loan of two and a quarter millions of dollars for the enlargement of the Erie Canal, was referred to a Select Committee to report complete,—was subsequently reported, and passed to a third reading.

The bill incorporating the New-York and Brooklyn Ice Company was defeated, and motion to reconsider laid on the table, when the Assembly adjourned.

GENERAL NEWS BY TELEGRAPH.

Later from California and Oregon.

NEW-ORLEANS, Monday, Feb. 12.

The steamship *Prometheus* has arrived at this port with California dates to the 24th of January.

The steamship *Northern Light* left San Juan on the 6th inst., for New-York, with two hundred passengers and $600,000 in treasure.

Twenty-two ballots had been taken for United States Senator without any choice being made.

The markets were dull, with declining tendency.

We have dates from Oregon to the 13th January. The Uluath Indians had attacked and murdered five whites near Orleans, and the United States troops had gone in pursuit of them. A general war is expected with the Indians, as they are numerous and well armed.

The ship *Osborn*, HOWES, from Boston, arrived at San Francisco on the 21st ult.

Later from Mexico.

NEW-ORLEANS, Sunday, Feb. 11.

The steamship *Orizaba* arrived here to-day with dates from Mexico to the 5th, and from Vera Cruz to the 6th inst.

A Provisional Government has been established at Acapulco, with General ALVAREZ at the head, until the arrival of CEBALLOS.

General BAHAMUNDO was confident that SANTA ANNA would be shot by the rebels.

General LA VEGA will relieve General WOLL of the command at Matamoras.

The Revolutionists at the Isthmus of Tehuantepec have declared in favor of ALVAREZ and CEBALLOS.

A new Revolution is talked of in Yucatan, and the arrival of the KINNEY Expedition was favorably looked forward to.

Large Fire at Grenada (Miss.) &c.

NEW-ORLEANS, Monday, Feb. 12.

Twenty-six business houses at Grenada, Mississippi, were destroyed by fire on the 4th inst. The loss is estimated at $163,000. Insurance $50,000.

Three thousand bales of cotton were burnt up at Troy, Mississippi, on the 8th inst.

Pennsylvania Legislature—Caucus Nominations for U. S. Senator.

HARRISBURG, Monday, Feb. 12.

The Democratic members of the Legislature met in caucus to-night, twenty-six in number, and nominated CHARLES S. BUCKALEW of Columbia for U. S. Senator. The Whig caucus, eight in number, nominated THOS. WILLIAMS of Allegany. The caucus of the Know-Nothing bolters, thirty-three in number, is still in session, and the feeling is intense.

The result to-morrow is looked upon as uncertain, and efforts will be made to stave off the election.

From Columbia, S. C.

COLUMBIA, Monday, Feb. 12.

We have received here the New Orleans papers of Tuesday, but they contain nothing of importance.

Charleston Races.

CHARLESTON, Monday, Feb. 12.

The great race between *Wagner* and *Maggard*, for two thousand dollars, failed to come off to-day, the latter paying five hundred dollars forfeit.

Destruction of Engine House, &c., in Gorham, N. H.

BOSTON, Monday, Feb. 12.

The engine house and repair shop of the Grand Trunk Railway at Gorham, N. H., were destroyed by fire this morning. Eight engines in the house were saved. Two engines in the repair shop, (the Casco and Gloucester) were destroyed together with the tools. Loss not precisely known. The building cost about $5,000 and the tools $10,000.

The Weather in the East.

BOSTON, Monday, Feb. 10.

The weather here this morning is very clear and fine, and the temperature is quite moderate. Our dispatches from Halifax, Bangor and Portland are of a somewhat similar import, but at Eastport a heavy snow storm prevails.

Marine Disaster.

CHARLESTON, Monday, Feb. 12.

The ship *Mary Morrill*, of Portland, from New-York for New-Orleans, arrived here to-day in a leaking condition, having come in contact with a sunken vessel, in consequence of which she lost her cut-water and had her larboard bow badly injured.

Marine Disasters.

PHILADELPHIA, Monday, Feb. 12.

A letter from Lewes, dated Saturday, reports that the British bark *Blythwood*, hence for St. Domingo, is ashore on West Flats, below Hawk's Nest, with her mizen-mast only standing, and surrounded by heavy ice. Most of the vessels in the roadstead dragged their anchors on Friday, owing to the force of the drift ice. A schooner is ashore outside of Pitch, Cape Henlopen, supposed to be the *Selah* or *Solar*, from Savannah for Boston. No communication can be had with her; the tug-boat *America* made the attempt to reach her but failed.

Meeting of the Sunbury and Erie Railroad Company.

PHILADELPHIA, Monday, Feb. 12.

A meeting of the stockholders of the Sunbury and Erie Railroad Company took place this morning. JAMES COOPER, Esq., has resigned the Presidency, and it is thought ex-Governor BIGLER will be his successor. The election is now progressing.

Bridge Set on Fire.

PHILADELPHIA, Monday, Feb. 12.

The extensive bridge at Columbia, over which crosses the Susquehanna, York and Wrightsville Railroad, was set on fire this evening by some boys, but the fire was extinguished without any serious damage.

Philadelphia Stock Board.

PHILADELPHIA, Monday, Feb. 12.

Stocks are steady to-day. Reading, 38¾; Morris Canal, 14¼; Long Island Railroad, 10¼; Pennsylvania Railroad, 44; Pennsylvania State Fives, 86¼. The Money market is easy.

From Oswego, N. Y.

OSWEGO, Monday, Feb. 12.

The propeller *St. Nicholas*, Captain WILLIAMS, arrived here this morning, with 3,000 bbls. of Flour. She touched at Youngstown, and encountered considerable ice at the mouth of the Niagara River. The weather is mild.

Dates from Omaha City, Nebraska.

CHICAGO, Monday, Feb. 12.

We have received here, by the arrival of the mail, dates from Omaha City, Nebraska, to Jan. 30, and we learn that both Houses of Assembly have passed a bill, locating the Capital of Nebraska at Omaha City, opposite Council Bluff, and that the Governor has signed the bill.

Railroad Accident.

CLEVELAND, Monday, Feb. 12.

An engine and six freight cars were thrown off the track and down an embankment at Cannesut and two men severely injured.

The Southern Mail.

BALTIMORE, Monday, Feb. 12.

We have no mail this morning south of Mobile, and the papers to hand contain no news worth telegraphing.

Naval Intelligence.

The U. S. storeship *Supply*, A. SINCLAIR, Lieut. Commanding, arrived at this port yesterday morning. She sailed from New-York May 4, 1852, and has since been constantly employed as a store-ship in the expeditionary squadron to Japan, under the command of Commodore M. C. PERRY. Notwithstanding the hardship incident to this service, the *Supply* brings home her crew in a healthy condition; not a man has been lost from disease or accident during her long cruize. The *S.* sailed from Samondi, Japan, (one of the ports opened by treaty) 26th June, 1854, and touched at Canton, Hong-Kong, Singapore and Cape Town. The following is a list of officers:

A. SINCLAIR, Lieut. Commanding; N. B. HARRISON, Lieutenant; F. S. CONOVER, Acting Lieutenant; JOSEPH WILSON, Jr., Passed Assistant Surgeon; J. H. URQUHART, Acting Master; JOSEPH FAY, Passed Midshipman.

Mutiny—Officers Stabbed.

Capt. FRENCH, of ship *Carrington*, from Foo. Chow-Foo, reports: Dec. 17, lat. 36° 15' S., long. 25° 39' E., fell in with ship *Medford*, of Boston, from Manilla for New-York, with signals of distress flying; hove the ship to, and boarded her, when we learned that the Captain, first and second mates, had been stabbed by one of the crew. Put the first officer of the *Carrington* on board, to take the ship into the Cape of Good Hope, for medical assistance for the wounded.

The following is the statement of Capt. ROPER, of the ship *Medford*, from Manilla for New-York.

Dec. 13, 420 miles from Cape of Good Hope. As Capt. R. went aft, he cautioned the man at the helm regarding the steering of the ship, when he became insolent, and upon his attempting to chastise him the rest of the crew ran aft to the man's (GEORGE HARRIS) assistance, he having struck the Captain and knocked him down. The Captain ordered all hands forward, who obeyed all except one man, CHARLES STEPHENS, who used insulting language and attempted to draw his knife.

At 2 P. M., when STEVENS was on his way aft to relieve the wheel, he drew his knife on the Captain, when he and the second mate attempted to take it from him, when he stabbed the Captain in five different places, the first mate in the arm, the second mate in the abdomen from which his bowels protruded. The wounds were dressed as well as circumstances would permit, and at 4 P. M., STEVENS came aft and surrendered himself a prisoner. He was put in irons and confined in the lower cabin, the Captain and mates being in a very low state.

From Turk's Island.

The *Royal Standard* of the 12th January states that cholera was steadily subsiding at Salt Cay, while at Grand Turk it had not made its appearance.

A violent storm had visited the Island, and the American brig *Gustavus*, Capt. PERCY, from Para for Boston, was wrecked at Salt Cay. The brig *Helen Jane*, from Boston for Truxillo, touched at Turk's Island on the 5th January.

RETAIL PRICES IN SAN FRANCISCO.—Geese sell in the San Francisco market at $10 per pair. Ducks are the same. Turkeys from $1 to $1 25 per pound. Butter in form 75 cents to $1 per pound. Eggs $1 per dozen. Cheese 50 to 75 cents per pound. Apples have been sold at prices from $3 to $5 per barrel—the lowest being one bit (a dime) each.

Further from Texas.

We gather from the Texas papers the following intelligence:

The State Convention, of the 27th ult., says that Governor PEASE, who at last accounts was on a visit to Galveston on private business, was expected to be absent from Austin four or five weeks.

Austin on the night of the 30th was visited by the most severe norther of the season. The wind was so violent that it blew the tin off the roof of almost the entire side of the Senate Chamber of the new Capitol. It is supposed that it will cost at least $1,000 to repair the damage done.

The Austin *State Gazette*, noticing the report that the Committee of Ways and Means of the United States House of Representatives had agreed to report what is called the Texas Creditors' bill from the Senate, with some amendments, remarks:

We are anxious to see this vexatious question settled; and more, we are anxious to see the debt of Texas wiped out. If the bill is to be passed upon the principle and for the reasons given in the report to the Senate at the last session of Congress, that the debt claimed by the creditors is due to its full amount, and that Texas acted in bad faith in adopting her scaling system, then we say emphatically we are opposed to it to the bitter end.

We feel that Congress has no right to inquire into the justice of the action of our Legislature upon this subject. The debt is the debt of Texas, and if she is to be charged with its payment, it should be in the mode she, as a sovereign State, may consider fit to prescribe. As a sovereign State she alone has the right to judge as to what is right and proper to be done in the premises.

If Congress assume the right to pay the debt, she must acknowledge it as an obligation binding upon her, and not upon Texas. But we oppose the right of the General Government to sit in judgment between Texas and her creditors, pronounce judgment against her, award compensation by taking her money, and appropriating it in satisfaction.

The citizens of Austin, in public meeting assembled, have declared that the recent election of Mayor and Aldermen was not held in accordance with the city charter, and requested the Chief Justice of the County to order an election for city officers, as the charter provides, forthwith.

Col. H. CLAY DAVIS has been appointed Deputy Collector and Inspector of Customs for the port of Rio Grande City, vice J. C. HOWARD, Esq.

The Austin *State Times* says the Black Tongue was still raging at Rio Grande City as late as the 25th December; also at Camargo, across the Rio Grande.

Mr. JOHN PETERSON, an old Texan, who did gallant service at the battle of San Jacinto, and upon other fields, died about six miles from Centreville, Leon County, a few days ago.

Several of our exchanges state that appearances indicate an early Spring, and that the farmers are already making preparations for the coming crop.

The Methodist Church in Texas, it is supposed, is about 20,000 strong.

The Galveston *Times* says that Mr. ANDREW MARSCHALK, who has been editor and proprietor of several papers in Mississippi, is about to establish a new paper in Indianola.

A meeting of the citizens of Bastrop County was to be held at Bastrop on the 3d inst., (yesterday,) to take into consideration the project of constructing a Railroad from Austin to the Gulf.

A Corpus Christi letter, of the 20th ult. to the Galveston *News*, says that Major CHAPMAN, Acting Quartermaster U. S. Army, after a short absence had returned to his post, that there had been no winter at Corpus Christi, and the weather was then quite warm—too warm for the season; that no Indian depredations had lately been committed in that neighborhood; that Corpus Christi is improving in the way of the erection of new buildings; that merchandizing is rather overdone there; and that servants, common laborers and mechanics are in constant demand.

The Slave Trade and the African Squadron.

From the Baltimore American, Feb. 12.

Com. FOOTE, U. S. Navy, recently delivered an address before the American Colonization Society on this subject, which has been published in pamphlet. Com. F. was recently in command of the American squadron on the coast, and from his own experience he speaks strongly of its usefulness, and argues against its withdrawal. We learn from the address, that our squadron now consists of one frigate and two sloops-of-war of the third class, and that the entire cost is about $250,000 per annum. This includes the wear and tear of the vessels, the pay of the officers and men, provisions and contingencies. It is affirmed also that the loss of life has not exceeded that in other squadrons abroad. Commander F., who was absent in the Perry for two years, boarded seventy vessels, captured two or three slavers, yet did not lose a single officer or man by death. The only salutary measures adopted, were no grog rations during the cruize, and absence from the shore at night.

France at one time, had an equal force with Great Britain, on the coast of Africa—say twenty-three vessels—but finding the engagement too onerous, she applied to the British Government for a modification of the treaty, which was conceded, and she now has only twelve vessels employed. The reason why France has reduced her African force from twenty-six to twelve cruisers, may be found in the fact that her squadron, now like our own, is restricted to her own vessels and citizens alone. France could not therefore even with a larger force than England, accomplish the same results in captures as the British squadron, as she is not in treaty with other Powers, as England is. Her squadron of steamers and sailing vessels has vindicated the French flag by restricting its use in the slave traffic.

Com. FOOTE contends that considering we have had no steamers on that coast, and but two sailing cruisers, our squadron has been quite efficient in fulfilling its duties. Its very appearance exercised a salutary influence. "It showed a determination in our government to share in the naval charge of these vast seas and shores. Our country thus became present, as it were, in power to repress, and if needs be, by punishment, to avenge outrages on our citizens or their property. The squadron has protected our legal commerce, which is more extensive on the south coast, then that of England or France; it has checked by important captures, and still more by its presence, the desecration of our flag; and has had an essential agency in removing the guilt of the slave trade from the world. If, therefore, the Government is in earnest in its declared determination to suppress the slave trade in American vessels; if it means to afford protection to the rapidly-increasing, legitimate trade between the two countries; and if it looks favorably on the cause of Christian civilization and African colonization on that vast continent, it will not listen to the proposition to abrogate any article of the Webster-Ashburton Treaty, nor to withdraw or reduce the African squadron, except it be in the number of guns specified in the treaty. But, on the contrary, it will increase the efficiency of that force by the addition of several small steamers, as being better adapted for the suppression of the slave traffic, and for the protection of our valuable commerce, than the more sailing vessels now composing the squadron."

A WOMAN MURDERED IN A CANAL BOAT.—A young unmarried woman, by the name of SARAH ELIZABETH FRANK, in the employ of Capt. CARTWRIGHT, canal boat *Albion*, of this city, was brutally murdered yesterday afternoon, in the cabin of the boat, by a man named ALFRED MILLER. It appeared, from the evidence at the coroner's inquest, that the parties had a quarrel on the night previous, at which time MILLER threatened to "slap" the girl. Yesterday afternoon the quarrel was renewed, and after an interchange of angry words, MILLER knocked the girl down, and kicked her severely three or four times in the side and back. A girl named STRABLEY, who was a witness of the murder, assisted her to rise, and placed her upon a chair. She appeared to suffer very much, and in a short time, she turned toward MILLER, who had remained in the cabin, and said, in a feeble voice: "ALF, you have killed me—I'm dying!" MILLER was evidently frightened, and hastily retreated from the boat. The woman, STRABLEY, was so confused that she was incapable of raising an alarm, and the murderer escaped. The physicians who were present at the inquest gave it as their opinion that the wounds and rupture of the spleen, occasioned by violence done to the side, and region of the spine, caused death. Upon post mortem examination, they found a large quantity of "clotted blood" internally, and immediately in the region where the bruises were inflicted. The verdict of the coroner's jury was rendered in accordance with the above facts. (Albany Register, Feb. 9.

COLLISION ON TYBEE.—Capt. BROWN, of the schooner *Emma*, reports having come in collision about 2 o'clock yesterday morning, with the steamer *Sunbeam*, off Tybee Lighthouse. The *Emma* sustained considerable damage in the loss of her bowsprit, outwaters, &c. The *Sunbeam* was bound South. We are pleased to learn that her damage was slight, though it was found necessary to return for repairs. She was towed up during the evening by the *Wanda*, which was sent to her relief as soon as the accident was reported

DICK TINTO IN FLORENCE.

High Life in Florence—A Ball—A Concert for the Poor—How to Insult an Enemy—Austrian Politics Applied to the Fancy—A Sunbeam's Mishap—"Gossamer No Whitewash," &c.

Special Correspondence of the N. Y. Daily Times.

FLORENCE, Tuesday, Jan. 9, 1855.

The gayeties in the high region of Society were continued last night by a ball at the Casino dei Nobili, a club-room belonging to an association of aristocrats, who give annual festivities in their grand saloon. They are not unlike our Assembly balls in America, except that the guests have nothing to pay, and the invitations are made out from the lists of persons presented to the Grand Duke, and from direct personal applications for admission. The Court were to have been present on this occasion, but owing to the low health of the Queen of Sardinia, and the alarming news from the King of Bavaria, the Court stayed at home. The young ladies were, I thought, rather vexed at first, at the absence of the Arch-Duke, but when they heard that the orchestra would play polkas and redowas, which they would not have played in presence of their Highnesses, they took heart and brightened up considerably. I hardly remember anything of unusual interest, except that a gentleman was pointed out to me as being the worst man in Italy, and as having seven wives. To match him, was a lady who had one set of children by one husband, another set by a second husband, and a third set by nobody knew who! Then there was Lady Such-a-lady, who was separated from Lord Such-a-lord, and lived with her lover. Then there was an exile from somewhere, who fought a duel lately with broadswords in his dining-room, his adversary's seconds being Americans. A virtuous set they were, truly—a very vicious and vile set indeed. Being asked by a lady with whom I was conversing, in the Court language of Europe, what rank I held in my own country, I replied that I was a plebeian, though it would have been eminently excusable to reply a Colonel. I thought that she was rather disgusted with me, as she was herself *nobile*, till some one told her that, from the very nature of their Government, all Americans were patricians. Her smiles and condescension returned, and remained till the signal was given for the German scottiers. She then retired, as well as nine-tenths of the other Italians present. The reason was that if this dance a lady can no longer exercise any exclusion in her choice and acceptance of partners, and is liable to take the hand of hated Austrian officers. Beyond these features, I believe there was nothing of note in the ball at the Nobili Casino.

We have had a grand concert for the poor this week, under auspices which will appear unusual enough in America to merit a passing allusion. It was given by amateurs of the highest social rank, at the same time that they are artistes of remarkable musical pretensions. Prince PONIATOWSKI was the tenor, Countess OSSOLI the soprano, and Madame PERUZZI the pianist. The bass and baritone were furnished by the opera, as well as the orchestra, led by Maestro MONELLINI; the chorus was composed of dilettanti, who, according to the bill, "had politely volunteered." PONIATOWSKI, of whom it must be said that he is not as accomplished an executant as he is composer and critic, gave several false notes, at which people made wry faces and pretended that their teeth were on edge, as if he were an ordinary professional tenor. Of course there were no encores, as when amateurs sing for charity, even though it be publicly and for a price paid at the door, it is understood no disapprobation must be expressed. The Countess OSSOLI is, beyond a doubt, the finest amateur singer in Italy. I have indeed never heard a better anywhere. Besides an unusual compass of voice, she possesses great flexibility and purity, and has acquired a veritable prima donna's execution. Her appearance, however, would have incapacitated her for the stage, and so it is very well she was born a noble and was married a Countess. She is huge, red and chimney—such a sort of fleshy MASTER AN MEDICIE as RUBENS had in his eye when he painted those admired monstrosities in the Louvre. To see and hear soprano sounds so sweet issue from this lady's mouth, might not improperly put you in mind of a bung-hole which should carol like bobolink, or of a kettle-drum which should roar you like any nightingale. Madame OSSOLI is a Russian, and, though a Cossack, she sings for the poor. She is highly exhilarated at the constant accounts from Sebastopol, and sympathizes deeply with the awful humiliation of the English residents in this city. To speak to a John Bull just now of the Crimea is to insult him. He is as sore as if he had been knouted, and, in fact, if he had been knouted he could not feel worse.

Madame PERUZZI, the pianist of the Concert, is another Cossack, unless I can prove her American. She is the daughter of M. EMMERSHAUSE, for many years Russian Consul at Boston. I cannot say that she was born on the soil, but if not, she was taken to the country when still very young. At the age of 20, she went alone to Paris, taking with her one of NOTARS' pianos, and immediately attracted attention by her beauty, her excellent manners in her unprotected situation, and her remarkable musical talents. She soon after married Signor PERUZZI, then Tuscan Minister in France. Florence is now her home, and though a Russian, she plays for the poor.

I feel that a digression at this point will be singularly appropriate. You will have heard that the Russians at Inkermann bayoneted and in other ways killed many wounded French, left upon the battle-field. You have also learned that MENSCHIKOFF, upon being apprised of the facts, prohibited such offences in future, and that still later NICHOLAS issued an ukase punishing such offenders with death. You will regret with me that NICHOLAS was not President of the French Republic at the time of the *coup d'état*. He would have prevented French soldiers from shooting unarmed citizens in the streets, and from bursting into unprotected houses and bayoneting defenceless women and children. Louis NAPOLEON, it must not be forgotten, expressly ordered this necessary, commendable MENSCHIKOFF, Sr. ANDREW to do it, and when they had done it, made them look Marshals and be [illegible] the soldiers that helped them. Time brings about its revenges, too, rapidly, and many actions are rendered more with such poetic justice, that I cannot doubt that the soldiers that committed wanton murder on the boulevard, were the Cossacks—the wretches that in their turn were massacred by infuriate Cossacks. Remember the execution of Russian soldiers, and the provocation under which they are committing their necessary deeds, have patience, remember that the provocations Frenchmen may have contributed in his claims to [illegible] and remember, moreover, that [illegible] Paris and elsewhere, [illegible] Russian [illegible] on the pain of man's heads; between whiffs of stolen tobacco and extra rations of commissariat rum. It is well enough for English to forget all this, for anything, it appears to them that is politic; but Americans, at least, in commenting upon the events of to-day, should revert to the history of three short years ago, and recollect that if Russian soldiers are unmindful of the usages of war, French soldiers are regardless of the amenities of peace.

To return to our budget of Florentine gossip. Perhaps I ought to say first, that we received an electric dispatch yesterday from Vienna in 15 hours. The wires between the two cities are not entirely consecutive, and the distance is considerably increased by the repetitious way in which the track does the same writing twice over. Thus, though Florence lies between Vienna and Leghorn, a dispatch intended for Florence goes to Leghorn first. The French and English mail for Florence, having arrived at Turin direct from Lyons, commences describing a series of angles round by Genoa and Pisa, which in a pure trigonometrical point of view, would be sheer madness; but as two small railroads are thus utilized, time is actually gained, though at an enormous sacrifice of distance. In Italy, a straight line may always be described as "the longest way between two given points." The dispatch which made such unusual time, was one announcing that the Czar accepts the four guarantees as the Western Powers interpret them. This is supposed by Italians to be the result of a private understanding between Russia and Austria, the object of which is to release Austria from the obligation to pursue the accomplishment of the Treaty of the 2d of December, at the same time that she appears to have acted with all the independence and straightforwardness that the Allies could have expected of her. The Italians speak somewhat freely of their hopes, now, that England will unfurl the flag of revolution in their country, if Austria definitively plays her false. I have said that there seems to be little hope of revolt in Tuscany. The Florentines themselves acknowledge that they are the tail of the peninsula, politically and morally, though upon the map Calabria appears to occupy that position. Tuscany will never take the lead in any movement; it will be doing very well if she brings up the rear, and does it creditably. Lombardy stands first in the catalogue of revolutionists; then the Papal States and the Legations; then the Two Sicilies, the little Duchies, Sardinia and Tuscany. I have heard several Romans express an ardent hope that Austria is blowing hot and cold, playing fast and loose, so that the rebellion against her in Italy may be led by England. An uprising against the Emperor FRANCIS JOSEPH in Lombardy, might perhaps be followed by an outbreak against Pope PIUS IX. in Rome. The popularity of this Sovereign, especially since he has been protected and upheld by French bayonets, has been on the same scale of enthusiasm and universality, as that of President PIERCE in America since the attack upon Greytown. I trust I shall be in the Eternal City when his Holiness, the last of the Popes, is drummed out of it. He went to Gaeta not long ago; this time I trust he may go to Joppa.

The English portion of our population are terribly annoyed at the acceptation of the guarantees, for they avow that should peace ensue, in the present position of the conflict, Great Britain would be sorely humiliated, while Russia would gain credit on all hands for her conduct of the war, and for her skill in forcing the Allies to reduce their conditions to a point where they became acceptable to her. However, the opinion of Florence upon the war is of little account either way, until Italy shall have a direct and individual interest in it. I have not yet once heard the name of MAZZINI pronounced in the country.

The fellowship of English and American artists has been deeply moved to sympathy by a calamity just occurred to a colleague, Mr. CLARK STANTON, a young English sculptor. Returning to his studio one day last week, he found his clay model of a statue in a pile of ruins on the floor. Though strongly supported by an iron framework forming the "bony system" of the body, it had fallen from the pedestal, dashing itself into hopeless and graceless confusion. It had been the work of fourteen months, and as the statue was to be bronze and not marble, his labor would have been done on the delivery of the cast to the gentleman who had ordered it. He had preferred finishing the model in the clay to finishing it in the plaster, as is usually done, so that the loss of time and labor is still more considerable. The statue was a figure of Hebe, and was the artist's first attempt at the size of life. Unless a man possess unusual energy, such a disappointment at the outset is enough to baulk the best intentions and compromise a whole career.

If you should read upon a theatre bill the words "*La Capanna dello zio Tom*," should you know what it meant? The monosyllable *Tom* might perhaps serve as a guide to the rest; and *capanna* might help to betray the secret. The Alfieri is actually playing a new version of this dark tale, though no less than four figured last season upon the various Florentine stages.

How do you suppose the phrase, of universal application, "Commit no nuisance here," is translated into Italian, and the caution implied is conveyed to Catholic minds? Thus: The dead wall in question is painted over with numerous crosses of large size, with the following words underneath: "The Cross of our Lord; respect it." This seems too monstrous for belief, and I blame no one who refuses to credit it till he sees it. The device is, I believe, effectual, though it seems to me that religion is degraded by the application of the symbol of salvation to such vile purposes. However, the degradation of religion would appear to be the great end and aim of all Catholic effort, and there is no just reason for wonder, when we see people insuring their houses against fire by inserting a fresco Virgin in the wall, and guarding them from pollution by daubing their exposed corners with images of the instrument of crucifixion.

We have had a month of clear skies, without a drop of rain. The weather is cold, bracing and bright. Snow falls upon the mountains every night, and from time to time the ground in the morning is covered with a sharp hoar frost. In this climate, fully half the foliage is evergreen, and the costume of Winter is a comfortable demi-toilette. The atmosphere, nevertheless, is really cold, without being severe. Half the population being too poor to spend over one-third of a cent a day on their fuel, have actually contrived a portable stove, which affords a plentiful supply of heat at that most reasonable rate. It consists of a baked earthen pot, with no lid, and a handle forming two-thirds of a circle over the top. Its capacity varies from one to two quarts. In this is placed, in the morning, a quantity of fine charcoal prepared for the purpose; on the top are exhibited a few very small sticks, covered with the dust of pulverized ashes. The fire works downwards, remaining alive and evolving a strong heat during a period of ten hours. There is no white, every particle of charcoal being burned out and consumed. The first cost of the pot varies from three to five cents; its daily supply of combustible, certainly not over four mills; the wire grating over the top, to prevent contact with the fire, may cost perhaps a cent more. The extent to which this household article is employed, is almost universal: I cannot find at what degree in the scale of society its use ceases. The beggars, the poverty stricken, the poor genteel, many shopkeepers and multitudes of families of bourgeois, have no other fire. The artists in the public galleries, copying RAPHAELS, ANDREAS and other *chef-d'œuvres*, depend upon their pot-pot for comfort in the Winter months. The workshops, the manufactories, maccaroni, straw-plait and other branches of Italian industry, are not warmed collectively by a stove, but individually by each artisan's jug of ashes. Do you call at a house where the inmates are in moderate circumstances, you are likely to see the whole family furnished, each one with his earthern jug, and if you sit or stay, one of the daughters will tender you here, as anywhere else she would ask you to take a seat by the fire. It is amazing to notice the quantity of heat evolved, and the time one supply of fuel will endure. The invention would appear to be on the Ericsonian principle of making a little coal go a great way, though it never went to Liverpool. This portable stove receives from the women the endearing appellation of "husband." How touching and how descriptive—a solace, comfort, friend, society and warming-pan, all in one. Husbands are lent, borrowed, broken, kindled, extinguished, patted, petted; they never give any trouble, never scold, sit at the feet or cuddle in the laps of their wives, warm, adident, always fired up! And yet in Italy, there is more married unfaithfulness than in any other civilized country! Account for it who can!

In France, they have something of the same sort, though much more expensive. The foot-stove replaces the fireplace, indeed, and is portable, but the first cost is rarely under three francs, and its daily nourishment requires two sous more. "Warmth for nothing," or at the outside, for two-and-sixpence a year, can only be furnished by this classic land of beggars, maccaroni, Leghorn hats, tenors, priests, alabaster, fleas, prima donnas, and the fine arts generally. DICK TINTO.

FROM VIENNA.

The Weather—Horse-steaks—Universal Love of Music—Ignorance of Politics—No News in the German Papers—Nobody Cares for News, &c.

Correspondence of the New-York Daily Times.

VIENNA, Monday, Jan. 15, 1855.

The first considerable fall of snow this season visited our city to-day. Yesterday the air was sharp and piercing, foreboding the certain approach of the Wintry weather, which has no parallel in its tardiness except in the continually further and further postponement of decisive measures by the Diplomatic representatives of the conflicting powers in this same capital.

This morning the diplomatic corps that manages the weather bureau has given us the first proofs of a happy settlement of its peculiar questions, while almost in concurrence, a day or two only in advance, the four Powers have again proclaimed the hope of peace by the asserted partial acceptance on the part of the Czar of the "Four points." The one may prove as fallacious as the other. Many assert that we shall have no Wintry weather this year; the entanglement of the Sultan in European affairs has produced atmospheric disturbances and irregularities before, as when the Pope, centuries ago, commanded prayers to be offered in all the Churches against "the Turk, the Comet, and the Devil." While the majority of men and papers think, in spite of the rise of one per cent. in funds and shares on the Vienna Bourse, that the storm of war is only gathering thicker and blacker. In the meantime, the bakers have rejoiced in the continuing open weather, as they can get their flour from the surrounding provinces by means of the river navigation; while coffee-house keepers and conditories lament the want of ice for their *Gefornes*. Still provisions are very dear. The *Semel brod* grows smaller and the price of meat advances. The consumption of horse-flesh by the poorest classes, which for the past two years has been more and more resorted to, tends to check any rapid rise in beef and the common meats. While good roasts and bake pieces cost fifteen kreutzers the pound—not even so high as in New-York—horse-flesh is bought for five kreutzers. An acquaintance who has eaten beef-steak from this meat—would it do to call it horse-steak?—assures me that it does not taste "at all bad," that it is indeed a delicacy; and argues from the nature of the food of the two, that horse-flesh is a much choicer diet than fried chicken! It may serve to show how well the poorer classes like it, to state that within the past few weeks, in Hamburg, if I remember rightly, the price of this article of food has risen to almost double its former rate, owing to the increased demand.

In the matter of amusements, there has been no uncertainty and lingering delay in the Vienna world, such as I have characterized the weather and the war. The opera, although destitute of any great name at present, does not cease to produce some of the great works every night. Within the past week "Belisarius," "The Huguenottes," "Robert der Teufel," and "Fra Diavolo," have been produced. "Ernani," "Don Giovanni," "William Tell," "The White Lady" and "Masaniello," stand on the coming list.

The four theatres are as active and as crowded as it is possible for them to be, with the great tragedies of SCHILLER, GOETHE, LESSING and SHAKSPEARE, comedies and farces. A new drama entitled "Der Fechter von Ravenna," commencing at Vienna, has in a short space of time been produced on the boards of all the principal theatres in Germany, and partly on account of its inherent merit, partly on account of the mystery enveloping its authorship, has created a *furore* everywhere. Besides these regularly founded institutions, the lighter, gayer—balls and *soirees*, and concerts and "Ausschanks" of beer and wine, panoramas, "Krippen spielen," but most of all and everywhere dancing and fiddling, and an "uncommonly jolly time together," are numerous, and still not one too many for the pleasure-loving Viennese.

It is *Fasching* now, Carnival; and it is marvelous to me, who never have been used to it, to see how everybody turns out to enjoy it. Nearly a rood of wall blazes in the morning, here and there and at certain devoted corners, with the handbills of the coming evening's entertainments. If no one ever thinks of stopping in New-York to peruse a placard, always taking it as a run; here the streets are in places often nearly blocked up with footmen making a choice from the bill of fare before them of the night's amusement.

From this fondness for plays and balls and music one can see a peculiarity in the habits of the people. The convent-looking fellow that issued out of the opera beside me can discourse on music and the ballet with all the stability of a home feeling; while the most intelligent, well-dressed gentleman, slipping his mélange and seating a girl at "DAMM'S *Coffee House*," could not enlighten me on the relations and connections and consequents and progenitors of the present Diplomatic Congress in Vienna. He would shrug his shoulders and apply to an equally well informed friend beside him.

The people seem to take no great interest in politics, the Government and the war. It may be from a natural indifference to anything outside of their own sensations, and may be from forced habit, probably partly both. One thing is certainly remarkable, that right here, at present the centre of diplomatic, and not at all improbably soon the centre of war operations, while the Russians are gathering on the North and East, and troops are marching from Vienna to hold in check any sudden measures against the capital itself, neither papers nor people take any absorbing interest in the matter.

In England almost the only topic of conversation is "The War," and when once the past is well discussed by a knot of citizens, conjectures and prospects, and plans, and the next news, afford an equally fruitful theme.

But here, as a subject for conversation and news, paper leaders, it is almost the least interesting thing before the public eye.

One of the most striking proofs of the indifference of the Germans to matters of national and public interest is to be seen in the management, or rather the matter, of the papers.

With us in America—and it is as much or more so in England—almost every man of information has some time in his life written something for the papers, if it were only a bit of "machine poetry," in his fifteenth year. If one has a happy thought that he dreams may be of service to others, he does it up in his neatest manner, and sends it to the editor. An abundant illustration, notice the almost innumerable communications from all parts of Great Britain, and the common soldiers in the Crimea, that fill the columns of the London papers.

If a son in the army sends home but one item of interesting unpublished information, the father sends a copy of the letter post-haste to London or the county paper. And in reference to surgeons and nurses, and model guns, and reinforcements, and levying of foreign troops, everybody has a word to say and to write for the public.

How much this watchfulness of the individual to all that interests and affects the whole is the glory of free institutions and their sure bulwark, it is not necessary here to mention.

In Germany the contrary of all this is the case. Newspaper correspondence consists exclusively of the paid, regular letters from three or four great cities, being then mostly speculations on the past, and a flurry of nebulous mist as to the future; and in such papers as the *Algemein Zeitung*, philosophical, traveling and scientific home correspondence. In three months' constant reading of papers from all parts of Germany, I believe that I have not once met an article from an unofficial, irregular contributor—from one of the people.

What the papers bring them, the people are content with, very frequently, as in Berlin with the *Intelligence Blatt*, preferring the paper that contains nothing but advertisements, births, marriages and deaths, police announcements and *Unglücksfalle*, to one burdened with news from Europe and America.

Occasionally I ask a friend of mine who is confidential clerk in a large mercantile house here, that has branch connections in all parts of the world, "Well, what's the news to-day? What from the seat of war?" It is an American habit that I have not wholly eradicated. "He does not know; he has heard no news!" "Haven't you read the papers?" "Yes!" "Are there no rumors or late reports stirring? When do they say of the last news?" "He has not heard anything; he knows of nothing new!" "Don't you clerks discuss the day's papers together, as you open your ledgers and nib your pens in the morning, or while you are shutting up at night, don't you have something to say and conjecture about the war?" "No, they are too stupid!" he says; he is not a Viennese himself. This is all very odd, to say the least, especially to an American.

In connection with the war, the last report here is that February 1, a new Congress of especially appointed Ministers from the great "mights"—machts, as the Germans say—is to be held here in Vienna. Prussia refuses the call made upon her by Austria, to bring her promised quota into the field in case the frontiers of the latter are threatened. She does it under the pretext that Austria has nothing to fear from Russian invasion. Very few hopes are felt here of Prussia's allying herself with the "Three Powers;" and, while she prohibits the levying of troops for the English service from among her subjects, fifteen surgeons from Berlin alone, and nearly a hundred and fifty from the Provinces, have within a few days entered the Russian Army. Truly yours, S. T. X.

Important to those Seeking out of Town Residences.

To the Editor of the New-York Daily Times:

A great number of people are now looking for a home "out of town." Correct information, therefore, in regard to the sources of disease existing in the various rural and subordinate villages, as a necessary preliminary to the judicious selection of a residence, becomes a matter of no little importance. To the New-Yorker predestined to remove his domestic altar to any one of those Elysiums of "Flora and the country green," some knowledge of the malarious poison which its sheen conceals, may constitute an essential antecedent to important sanitary precautions.

It is evident, from the tone of their remarks, that "Truth," "Travels," "Resident," &c., speak each in behalf of that brick or wooden paradise "where his possessions lie." Local practitioners of medicine are sometimes—though not always—disinterested witnesses; but their scope of observation is generally too limited to enable them to draw correct inferences in regard to the comparative salubrity of different places. For the solution of this question we can perhaps derive the most reliable data from our medical charities. The majority of laborers and domestics, who go to service in the outskirts and villages within 15 miles of New-York, return to the City whenever sickness renders them unable to pursue their ordinary avocations, and a large proportion of them apply for advice at the Dispensaries.

Being connected with the largest institution of this kind in the City, I have annually taken under treatment several hundred fever and ague patients from various points within the above-named limits, and have ascertained pretty satisfactorily, in almost every instance, the precise locality in which the disease was contracted.

The comparative per centage of cases occurring in some of the principal of these "shaky districts," during 1854, I found to be very nearly as indicated below:

Yorkville	8	Flushing	3
Harlem	11	Flatbush	3
Mott haven	7	Gowanus	5
Other points on New-York Island	7	Other points on Long Island	7
Morrisania	9	Staten Island	8
Other points in Westchester County	8	Hoboken and Weehawken	6
Brooklyn and Williamsburg	6	Jersey City and Newark	4
Astoria	3	Other parts of New-Jersey	10

The above table, even though it should not lead to a correct estimate of the proportional amount of miasmatic disease in the places referred to, at least shows that it is pretty generally disseminated in the outskirts. Indeed it is probable that every inhabited square mile within a half hour's ride of the City, furnishes more or less fever and ague annually.

The class of persons who form the subjects of the above statistics are chiefly new comers in the infected regions, and it is principally among recent settlers that sickness occurs. After the first year of their liability to suffer from the malarious influence, it diminishes ratio to the length of residence in the neighborhood. The poisoning of adults by the system to become partially inured to the malarious atmosphere will thus be evident. By dressing warmly—always keeping within doors from sunset to sunrise—sleeping in rooms that are well warmed and ventilated, with other suitable precautionary measures, until some degree of acclimation is attained, the liability to sickness from this cause may be very much diminished, though not altogether overcome. Unfortunately, most persons commencing a suburban life, being fully convinced by the representations of landlords that the locality of their residence is perfectly salubrious, neglect all precautions till their value is learned through sad experience.

Most of the views expressed in the article of "*Doctor Porter*," in yesterday's TIMES, are in accordance with well-established facts; but will that gentleman explain the meaning of his "penultimate" sentence, and especially of its concluding clauses? What ascertained influence the electrical condition of food exerts in producing or preventing malarious disease, is, I believe, beyond the ken of the profession, and they as well as the public should be informed what electrometrical investigations it is requisite to employ, in order to ascertain whether food is or is not "electrically" wholesome.

Another point of this article requires comment. Dr. STONE's ideas in regard to the urban production of miasm are not sustained by observation. The exhalations from our City sewers may produce fever, but seldom or never true fever and ague, which very rarely originate in the paved portion of the town, if we except those streets contiguous to the rivers. I know that intra-mural cases are often reported, for I have had frequent opportunities of learning their history. For instance:

Our townsman, Mr. C., owns a tempting slice of the lovely village of Marshgrade (for further particulars concerning this delectable locality, refer to some one of those beautifully tinted maps your correspondents have been kind enough to send you.) By carriage, car, or steamboat, Mr. C. visits Marshgrade daily—goes early and returns late. One morning he stays at home—head-ache—back ditto—teeth chatter—fever and ague. Family physician sent for. Do you think that Galenic individual (unless a moral Hercules) would venture to insinuate that those visits to "the beautiful and salubrious village of Marshgrade" had anything to do with the production of this malady. I guess not.

Or thus: Biddy—recommended as "a first-rate cook, washer and ironer!"—engages her services to Mrs. ——, living in the vicinity of the "Salt Meadows." Biddy's qualifications proving inadequate, she is dispensed with at the end of a few weeks, returns to town and finds a subterranean refuge with her hospitable cousins in Mulberry-street. Pretty soon she begins to have periodical chills. Physician is consulted, and he sends Biddy to the hospital with a certificate of "intermittent, contracted by living in a damp basement."

Let not Gotham, like "poor Tray," suffer for being in bad company. Miasma is a rural nymph, loving the mossy banks of sylvan waters—a Protean Goddess, who often assumes the form of Hygeia or Panacea. She is altogether too dainty to set foot in our dirty, rattling, smoke-bewildered City. DISPENSARY DOCTOR.

The Dying Minstrel.

From the California Pioneer, for Jan.

BY GEO. WILKES.

Poor TOM BRIGGS! How well I recollect him as he used to enter between the first and second divisions of the performance, with his banjo on his shoulder, and his cheerful, "Good eve'nin', white folks!"

Black as he made himself, TOM BRIGGS could not help being handsome, with the special set of his eyes and the exquisite trim of his lower cut, that added largely towards his title as the "Darkey Apollo."

There are some persons so resolutely handsome that paint will disfigure them, no garb entirely disguise, and of this sort was poor TOM BRIGGS. Widely appreciating his good gifts, he preferred the silent favor they insured in the minds of an audience, to the clack which is the reward of preposterous exaggeration. He was the dandy nigger; clean as a race-horse, fine as a star, and when his finger struck the banjo, you felt that he was filled with the spirit of an artist. Altogether, TOM BRIGGS was an extraordinary person, and had he chosen a less humble instrument, and subjected his taste to the tutelage of science, he would have achieved an elevated and refined renown. As it was, he distanced rivalry, elevated the banjo to the rank of the guitar, and rendered his performance not only the feature of a concert, but a by-word of surprise. This makes him a character worth notice. Whenever any one played to earn which had once heard him, the comment inevitably was, "Ah, but you should have heard TOM BRIGGS!" This was fame; and TOM BRIGGS felt its inspiring influence, and day by day he played more famously because of it.

Success develops genius. Those who cannot win it stop on the near side of Jordan; and there they must remain till it gives them strength to get beyond. But TOM BRIGGS took one jump to the right side of Happy Valley, and leaving competition in the rear, made it useful to him in the way of contrast. Every one conceded the superiority of TOM BRIGGS! All minstrel managers endeavored to secure him, and it is the misfortune of us here that he was forced to leave the band for the cemetery in the first week of his arrival on these shores.

But TOM BRIGGS had other merits than attached to his pursuits. He possessed a kind and gentle spirit; he was shy, modest and reserved, and free from the hard habits which characterize many of his class. He had a great notion, too, of being a gentleman, and instead of hanging about taverns and passing his time in vulgar pleasures, he devoted himself to elegant attire, good company, and that laborious practice which is the mother of improvement.

Nevertheless, TOM BRIGGS pursued these inclinations without offence to his professional associates. With all his niceness of dress and manner there was no exceptional vanity in his bearing; nothing about him which the most jealous critic could style "airish." He had an inborn gentility which oozed out of him as it were, gracefully, and you could feel no more objection to it than to the just pride of a handsome girl, who only evinces an amiable desire to be fine. Elegance was his "natural gait," and I verily believe his comrades took as much pride as himself in his straw hide; and perhaps felt that they were in some way associated with the dignity of the band. Certain it is, that his unassuming excellence had made a deep impression on their minds, and when he was lowered out of sight, many a tear dropped silently into the fresh sand that laid ready to be heaped into his grave!

The evening performance that succeeded this ceremony, was a doleful one. "For my part," said HOAXY, "I scarcely knew when I was above. Tom and I had traveled together for years, and it seemed to me as if I had lost a brother. All my main business was done with him, and when I looked around, in the middle of my work, and found a strange face in place of his, and remembered that I had just helped to get him in the ground, I nearly broke down."

As he said this, the eye of the humorist became moist, a slight tremor and huskiness was perceptible in his voice, and turning half round, to us to look another way, he suddenly asked a crowd of us to drink.

"Ah, gentlemen," said he, when we had all got our glasses, and he had cleared his throat, "You'll never see the like of poor TOM BRIGGS again! He was different from most other players. They seldom take any pride in their business, and are generally satisfied with any cheap instrument they can get; but TOM was very particular; he never stood upon the price of a banjo, and when he got a good one, he was always studying some way to ornament and improve it. He had a light one and a heavy one for different kinds of work, and he played so strong that he had to get a piece of steel made for the end of his finger, so's not to shield-like, to prevent his tearing off his nail. He was very fond of playing the heavy one, and, when we were coming up the coast, he would sometimes strike his strongest notes, and then turn round to me to proud and say, 'Ah! Hoxy, what'll they think when they hear the old Cyclopean speak like that?'

"It did not make any difference where he took sick. He played all the game. Only, when he got home, he could play only the light one. He used to have it hanging against the wall, warm himself and talk to it. Many an evening, I used to hear him talking to the old Cyclopean, as he called it, and making it talk back to him. But by-by he got so weak he would scarcely hold out to it, and I stays just by his bed and watched him till the mortal transport so thin, and it seemed as if he and the banjo were both falling into a dream. All the while he kept a good heart—poor fellow; and we kept encouraging him along too; and every morn and even he would raise himself up and say, 'Ah! how I'll make 'em look around when I get strength enough, once more, to make the old Cyclopean speak!'

But at last he felt that he was gone; and after some straight, sensible talk, he told us that when he died, to take the two banjos and pack them up carefully and send them home to his father and mother. An hour before he went, he asked me to hand him his banjo. He took a hold of it, and looked at it for a minute as if he was looking at a person who he was going to part with forever; and then he tried to hit it. But he could scarcely draw the weight of his thin fingers on the cords. There was no stroke to his touch at all. He would just barely make a sound, and that was so fine that it appeared to vanish away like the buzz of a fly. It was so thin that I don't believe he heard it himself, and he dropped his hand as if he gave it up. Then he looked at me as if he understood everything in the world, and shaking his head, said, 'It's no use—hang it up. Eve—I cannot hit it any more!' These were the last words that poor TOM BRIGGS ever spoke."

At this the speaker wiped a tear from his eyes; but it did him no discredit, for he had described the death of an artist, and given the best proof of a man.

The Memphis Navy-Yard.

The Memphis *Eagle* contains a letter from Lieutenant MAURY, of Washington, deploring the abandonment of the Navy-Yard at Memphis, and setting forth the grounds of his regret. After some introductory remarks, Lieutenant MAURY asks:

Would it not be much better to have a Navy-Yard somewhere on the banks of the Mississippi River, whence we could build, equip, and send down, without the fear of molestation by the way, a fleet that would have no limit to its power, save the boundless resources of the great valley?

But the Memphis Navy Yard, we are told, won't do for building up such a Navy, because it is 700 miles from the Gulf! And yet, we are, in the same breath, pointed to New-York and Boston, and away to Kittery, in Maine, that are three times that distance, and from which a fleet would have to fight every inch of its way before it could unseal the Gulf.

If Memphis could have obtained a hearing, it could have been shown that a Navy-Yard in this valley is more important, more essential, to a proper system of naval defence, especially when taken in connection with Pensacola, than any other single Navy-Yard in the country. The great changes which science and the improvements of the age call for make it so.

I grant you that neither the Navy of this country nor those of England and France are fully up to the times. But the element of these improvements surely exists; they stare us in the face, and, when properly appreciated in the right quarters, there will be a remodelling of all the navies throughout the world—I allude now to the effect which this new and terrible kind of heavy ordnance, of which you have heard me speak before, will produce.

"That it is practicable to arm a ship exclusively with this heavy ordnance is no longer an open question; and that one shot from a single ship is enough when properly aimed to sink the largest ship is a matter of fact.

"These great guns carry further and shoot truer than the old 32's and 42's. They send a ball weighing 150 pounds or more, and their introduction as a naval armament is destined to have the same effect in sea-fights, where ships are the combatants, that the invention of fire-arms had in single combat between warriors on the land.

"The pistol, taking the place of the battle-axe, the cross-bow and the broad-sword, placed the strong man and the weak, the large man and the small upon the same footing, with this exception, that a small man with a fire-arm has the advantage of size in his favor; the smaller the target the harder to hit. So, too, with little ships armed with these big guns. The experiments here at Washington, and at other places, leave no doubt as to the destructive powers of these "big guns;" and we have but to look into the Black Sea, and the Baltic to see a practical acknowledgment of it by the combined fleets. All that has been done by these powerful fleets has been done by the little ships with the big guns; while the big ships with the little guns (32's and 42's) have been kept in the back ground, mere lookers-on.

That terrible waltz that was danced by the English batteries as they whirled round in their circle of manœuvre at the bombardment of Odessa, was to the tune of big guns in little ships.

Before Sebastopol could be attacked, the English, my correspondent informs me, had to send home for little ships with big guns, and here we are told the further operations in the Baltic are delayed till the next season, and until a fleet of little ships with these big guns can be got ready.

Now, it was not necessary for the French and English to send off to the Baltic and Black Sea such tremendous 74's as the *Duke of Wellington*, and the *Agamemnon*, the *Napoleon* and the *Charlemagne*, to learn the power of these little ships with their big guns. That had been proved and established in a more conclusive and convincing way, by actual experiments and practice in Mexico, Portsmouth, and Washington. And for years I have been endeavoring by proof and argument to satisfy the public mind upon this subject.

It cost, perhaps, a million of dollars to build and equip such a ship as the *Duke of Wellington* with her 120 guns. Now, is not that too much to put upon one bottom, when a shot fired from one or two of these big guns, in vessels that did not cost, perhaps, a tenth part of that sum, would suffice for her?

These new big guns will impart entirely a new feature to sea fights. Hereafter, and when they are properly appreciated in the right quarters, we shall have no more such costly things as the Pennsylvania, and other seventy-fours, and with the result of engagements that may follow. Seamanship, manœuvre and position are to be matters of comparatively small importance. Markmanship, and markmanship alone, is to decide the battle when these big guns are brought into it. He whose shot tells first will be almost sure to whip; and the real practical question now to be decided is as to the degree of markmanship that is attainable with these guns at long ranges, and where the aim is rendered most difficult in consequence of the motions of both markmen and target to the wind and sea.

With attainable skill can the target be hit "the best two in three," or once out of five or ten times only; for upon the number of shots to be thrown away for one that will tell, the best size for vessels of war is to be determined. They are to carry one, eight, twelve, twenty, or more guns, according to the skill of the markmen sent to fire them. And where will you find better markmen than in the Mississippi Valley.

Then you see the objection to our Mississippi Navy Yard, on account of the worms at the Delta not being sufficient to pass heavy men-of-war, falls to the ground. When we want for the defence of the Gulf are little ships and big guns; and there is water enough in the Mississippi for them.

But we are told that the river is so low for three months in the year that no vessels can be sent down from Memphis. So is the channel of Kinsale and Huron so covered in Winter as to prevent our steamers materially to interfere with ship-building, docking, and repairing there for three months in the year. Did you ever hear that regard as a reason for locating the Navy-Yards there?

Moreover, when the river is low then the chosen of pestilence from the Mississippi is most sluggish, and consequently least active upon the Gulf, and the amount of it, therefore, of less consequence than at any other time. Besides, those seasons of low water occur just when the storm and the pestilence, the mortal dread allies of the Mississippi, generally enter the Gulf to scatter and destroy. It is at the very season when we are most secure from an enemy there, for no foreign fleet would operate in the Gulf at that season.

I had hoped to see the Memphis and Pensacola yards fostered and cared for. I had dreamed that Memphis, being up in the healthy country, would become the place of construction, Pensacola the place of rendezvous and repair for our Gulf squadron of big guns and little ships; that at Memphis the anchors and cables for this squadron would be forged, the big guns cast, the little ships launched, and the engines and boilers built; that, once down in the Gulf, there she would remain, and that it would be no more necessary to bring her back up the river for repairs, or, as a matter of course, there would be no need of her being at the New-York or at San Francisco, a vessel to be repaired there because she happened to have been built at the Boston Navy-Yard.

NEW-YORK CITY.

Fire in Eighth-Avenue.

A fire broke out early 4 o'clock yesterday morning in the grocery store of Louis Brandeleve, in Eighth-avenue, between Fifty-third and Fifty-fourth-street. The building was of brick, four stories in height, and was occupied by four families. Owing to the hydrants in the vicinity being frozen, the fire gained much headway before the firemen could bring any water to bear upon it; the flames spread rapidly and the whole building was soon entirely destroyed. The entire stock of grocery amounting to about $800 was also destroyed, but there is an insurance thereon of $1,300 in the Jefferson Office. The grocer occupied the rear part of the first story as a residence. His family and those who occupied the upper stories had a very narrow escape, and lost nearly all their furniture, upon which there was no insurance. The building was owned by Mr. Stephen Williams, and was fully insured. The four-story brick house, adjoining on the north side, also owned by Mr. Williams, chiefly occupied by several poor families took fire. The two upper stories were burned out, and the lower ones were damaged by water. Building insured.

The flames also extended to the four-story brick building on the south side, but the damage to this building was slight. It is owned by Mr. Valentine, and is insured for $5,000 in the Citizens' Office.

The origin of the fire was not known, but the police think it to have been the work of an incendiary.

Manhattanville Ward School.

The neat and commodious school building for Ward School No. 43, at Manhattanville, was dedicated yesterday morning, by appropriate opening exercises. A large number of visitors were present, and the attendance of children was also large. E. C. Andrus, Esq. read a short portion of Scripture, after which, Daniel F. Tiemann, James S. Breazy, E. E. Brown, Esq., and Dr. A. V. Williams, School Officers of the Ward, and Rev. Mr. St. John, and Wm. Orland Bourne, made addresses. The exercises were rendered attractive by the excellent singing of the pupils, showing the good training they receive from the Principal. The School is in the care of Charles McGregor, Esq., assisted by Misses Greaves, Thurston, Knapp, and Hammond.

Tops For Stage-Drivers.

A correspondent says to us: "Why don't you advocate a covering for the stage-drivers to shelter them, not only from Winter's cold, but also from Summer heat—the latter I think being the worst of the two. A top like a light carriage head could easily be fastened over the driver's seat, occasioning little expense to the stage proprietors, and much comfort to the stage-drivers."

Mr. T. Piers Healey and his reported Lunacy.

We have received the following:

Sir—You have given a very exaggerated account of adventures that certainly required no additional coloring. They originated in a misapprehension of family dangers, that might have occurred to almost any person situated in circumstances like my own—a misapprehension which, no doubt, was not a little aided by a sudden, and rather impromptu, exertion of opium, which I had been having recourse to each day during the preceding month. I have the honor to be, Sir,

Your most obedient servant,
T. PIERS HEALEY.

New-York, No. 20 Leonard-street, Feb. 12, 1855.

The Newsboys—A Good Word for Them.

As the Newsboys of the City are about to have a grand performance of their own, and for their own benefit, (to take place on Wednesday evening, at the Tabernacle,) the following from the forthcoming number of the *Five Points Monthly Record* will what the appetites of their friends to see what they can do:

We have not forgotten the Newsboys, nor have our pages long as it has been, since we promised further documents of their interesting records. Their natural history and peculiarities have been seized upon as a theme for the popular novelist, and are vividly represented in a tale issued by J. C. Derby. Save the extravagant coloring of the model characters of the story, the fidelity of the general likeness is undeniably striking.

They are thus emerging into public notice in a new capacity. More than this, Rev. Mr. Van Meter, their instructor in music, of the lodging house of the Children's Aid Society, now proposes to bring them out in a Concert, which will take place at the Broadway Tabernacle, on the 14th of the present month. A Newsboys' Concert is a novelty too remarkable and significant to pass without observation, as a trophy of one of the strongest triumphs of benevolence to which the content humanism of New-York has yet submitted. Of all others, this must have been prejudged the most unmanageable in its wild and bold independence. Not two twenty-five or thirty of these defiant young outcasts, shadows alone of law, to home, school, church and civilization itself, now self-constituted to raise a harmony, adapting the sentiments of one at life, and, without forsaking their caste, their calling, their local habitation, or their name, gradually rising both in the visible and the moral scale, into a new and advanced sphere of the genus Newsboy—such a spectacle, brought literally into view by the appearance of the newsboys in a concert of religious and moral song, will certainly be a demonstration not less important for humanity and practical Christianity, than exciting to curiosity.

Viewed thus as means to a public end of importance, we have no hesitation in supporting of such a demonstration. The public needs to know what should be done, by witnessing what can be and has been done. And although the Newsboys are a small class compared with many others, while by their thriving trade they are gradually kept above the condition of abject and desperate vice into which thousands of City children sink; yet we regard this Children's Concert as a means by which it may be rendered as it is in prospect, an one of the deepest interest, for the sake of the great reason to which it will be applied when success has fully crowned the present experiment. The Newsboys' lodging-house, we cannot doubt, must eventually hold a prominent place in the great system of Economy and Prevention for the destroyed Poor of Cotton, which is now faintly traceable in the germs of methodical benevolence around us. For the present stage of its progress, vide the Newsboys' Concert.

About the time of their singing transpired one evening when some few want of occupation began to drag heavily, and the Experiments were suggested that they should have a song together. "Well, what shall we sing?" was the question. Some one proposed "Wait for the Waggin." "Oh!" said Mr. Tracy, "who wants to hear 'Wait for the Waggin?' Can't you sing something better than that?" Finally, one of the boys said, "Let's sing 'Happy Land.'" This was seconded, and "Happy Land" was sung with great relish and tolerable propriety. After it was finished, one of the company interrogated the boy who had proposed it, (in the indescribable shrill gravel, or contralto of the Bowery and vicinity, which distinguishes the indigenous "Poy,") with "Where did you learn 'Happy Land?'" "Angel" growled in first boy in reply, "didn't I learn it to Father Tracy's?" "Angel!" growled back the other, "who cares for Father Tracy?" "You dry up!" retorted the first, "Father Tracy is a good man." Some one then thought was very, and some another, on this new topic, and an Irish little fellow usually denominated him for a Protestant and a heretic, who would go to hell. And in this discussion, rough but amicable—for these boys never come to blows about mere matters of opinion—the singing ended for the time.

The hostelrye of the Lodging-house received a general invite from the very pleasing concert given under the auspices of Mr. Gideon Ammen, on the 19th of January, for the benefit of the Five Points House of Industry. Mr. Tracy says they fared at the Lodging-house, two phrases, a short time before the hour of performance, and marched up to Broadway in quiet order. The only peculiarity in their proceedings was exhibited when passing the Broadway Theatre, where all raised their caps, whether as a tribute of rest or mark respect on a place of amusement, the multitude of the one they could not, of course, divine, could not certainly be discovered. Probably their meaning, like their manner, was unmistakable—a mixture of fun and respect.

Their conduct in the concert-room was exemplary. They felt it; and one evening conversed themselves quite heavily with some of the better-dressed that came to see. Mr. Tracy, they looked up in the gallery at the Newsboys as if they expected we were going to make all the 4 narrations," said some, wasn't they, though?" chimed in another. "Yes!" added a third, "Newsboys have to behave themselves as well as anybody, I guess, when they're a mind to."

We left the Newsboys with their "Book" closed to the 1st of November. On the evening, some of them had said they had accumulated, "pretty many—each boy having nearly 216, besides which he received an overcoat worth $18, which had been offered as a prize for the highest number." Most of the balance were particularly invested in warm winter garments. The total amount was $19 11. An account of the expenditure of the contents, however, shows that the number of the 216 varied, and gives rise to a very pleasing reflection, the Newsboys' pecuniary interest, of their kind, first, was, then, the cause which prompted the book, first step, the Quality and Industry were some current in support of the Institution, the Lodging-house, and the Concert, only for adopting the system of some of the boys for this we those who

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Decision in Admiralty.

UNITED STATES DISTRICT COURT—Feb. 12.

Before Judge Betts.

COLLISION—CHARGE OF TRESPASS.

The Camden and Amboy Railroad Company vs. *the Sloop Thomas Wellington—Samuel Curry* et al. vs. *The Steamboat John Nelson.*—These were cross cases, brought by the respective owners of the steamboat *John Nelson* and the sloop *Thomas Wellington*, to recover the damages occasioned to the vessels, by a collision between them, which happened at 10 A. M. on the 24th of October, 1854, near the Battery.

The owners of the steamboat alleged that the steamboat was on her usual trip from New-Brunswick, N. J., to New-York, and was approaching her usual landing place at Pier No. 1, North River, when she was run into by the sloop, which was near the junction of the North and East Rivers, heading to the northward or west with the wind about northeast, and the vessels approaching nearly at right angles with each other; that the steamboat stopped in time to let the sloop pass ahead of her, and that she might have passed either ahead or astern if she had seen the steamboat in time; that those on the steamboat did all they could to avoid the collision, which was occasioned solely by fault on the part of the sloop.

The owners of the sloop denied any fault on their part, and alleged that there was a vessel lying at anchor on either side of the course of the sloop, so that she was unable to change her course in any way, and that the steamboat did not stop so as to allow the sloop to pass ahead of her, but kept on across the bows of the sloop, and thereby caused the collision; that the sloop was going in a northerly direction, close hauled on the wind, and was unable to avoid the collision, which was caused wholly by the fault of the steamboat.

The damages claimed by the steamboat were about $600, and by the sloop about $800.

Both cases were heard together, and the following decision has been rendered:

By the Court—It is found that at the time of the collision the steamboat was not going ahead.

The steamboat swung that the sloop was bound from the East River up the North River, first slowed and then stopped her engine to enable the sloop to clear her.

That a few moments before the collision she backed, and that at the time of collision the boat had begun to go astern.

That the collision was caused by negligence on the part of the sloop.

That after she had taken her course to go from the East River to the North River along the Battery wall, and after the steamboat had slowed and stopped to enable the sloop to pursue that course without danger, the sloop altered her course more to the West, in consequence of which alteration of course the collision took place.

That there was no necessity for her so altering her course; and if she had kept the course that she was on when the steamboat slowed and stopped, no collision would have taken place.

The steamboat did all that was required of her to avoid the collision. She was guilty of no fault. She had a right to assume that the sloop would keep the course she was on at the time the steamboat slowed.

That the movements of the steamer were directed upon the idea that the sloop would keep that course. But her not keeping that course the collision was occasioned. The steamboat did all that was required of her to avoid it, and she was in fault.

Decree, therefore, that the libel filed by the owners of the sloop be dismissed with costs, and that the owners of the steamboat recover the damages by them sustained, with a reference to a commissioner to ascertain the amount.

For the steamboat, Mr. C. Livingston; for the sloop, Messrs. Stevens & Roots.

SUPREME COURT—Special Term.—Feb.

EXPRESS COMPANIES—THEIR LIABILITIES—COMMON CARRIERS.

Morris, J.—*Herman Herzfield and others* vs. *Alvin Adams and others.*—From the case made, I find that the following facts exist:

FACTS.

The plaintiffs are partners, merchants, having a house in New-York and another at San Francisco.

The defendants do not own any of the means (vessels and boats) of transportation between New-York and San Francisco, neither are they in any manner interested in them, or have they the least management or control of them either in person or by agents.

The packages which the defendants expressed to San Francisco, they have conveyed in their own name from place to place in the vessels and conveyances owned by others, plying upon the route between the two cities, used in common by the community.

The defendants on the 29th day of August, 1850, delivered to the defendants two trunks containing clothing worth $2,025 9-100 to be forwarded and transported by the defendants to San Francisco to Mr. Burnett, the house of the plaintiffs, to be sold for plaintiffs and on their account.

The trunks were properly protected with canvas.

The plaintiffs paid to the defendants $219 75 compensation for forwarding and transporting the trunks.

The defendants, upon the receipt of the trunks and the money, gave the plaintiffs the following receipt:

"Adams & Co.'s New-York and California Package Express—New-York, Aug. 29, 1850.

"Received from Herzfield, Bennett & Rosh, in apparent good order, 14 to transported by our express, the following articles, marked as below, which we promise to forward in the same, subject to the agreement now hereto, to Mr. Burnett, at San Francisco.

"It is agreed, and in part of the consideration of this contract, that we are not to be responsible for any loss or damage arising from the dangers of ocean or river navigation, fire, leakage, fire, or from any cause whatever, unless the loss shall be proved to have occurred from the fault or gross negligence of our agents or servants, and we are in no event to be made liable beyond our route on herein receipted, value under $100, unless otherwise herein stated. Freight paid here $219 75—marked (N2), "$6.25. Packages—two trunks. San Francisco. For Adams & Co. COBB."

The defendants shipped the trunks on board one of the steamers plying between New-York and Chagres in their own name and paid the freight on them. The trunks arrived safely at Chagres.

On the 6th of September, 1850, the defendants shipped these trunks in their own name, paying freight for them, on board of a first-class vessel, Captain Angels, for Cruzes, on the route to San Francisco, which was the usual conveyance.

The boat arrived safely at a point upon the Chagres River below the town of Vermez, on the evening of the 12th of September, 1850.

The night was dark and the river was rising rapidly. Captain Angels deemed it important to proceed, and moored the boat at the bank of the River.

At 1 o'clock on the morning of the 13th of September it was discovered that the boat was leaking, owing to the springing of a plank, produced by the pressure of the current and drift wood passing down the river, and not by any insufficiency of the boat, or neglect of master or crew.

Captain and crew made every effort to prevent the boat sinking, but the pressure of the current caused the boat to careen and she sunk.

Captain and crew exerted themselves to save the cargo; they got much of it on the bank and among it the trunks in question, and then the crew deserted.

The master of the boat reshipped to Chagres the trunks in question, and other packages saved from the flatboat.

On the 20th of September, 1850, Captain Angels called upon three respectable merchants of Chagres to survey the packages saved from the flatboat, and among them the trunks in question.

The surveyors considered the trunks in question and their contents as being damaged and unmerchantable. They signed a certificate to that effect, advising that they should be sold.

The conduct of the Captain and the Surveyors was honest.

On the 21st of September, 1850, the trunks and goods in question were sold by Captain Angels at public auction, and were purchased by W. Forter, the highest bidder, for $2,000.

The sum, $2,000, was afterwards remitted to the defendants at New-York, and was received by them.

The goods from the two trunks were sent by Mr. Forter to San Francisco, and sold by him for $2,000.

There was a semi-monthly means of transportation from Chagres to San Francisco.

The goods were never forwarded to Mr. Burnett.

There was a semi-monthly means of communication between Chagres and New-York.

The plaintiffs were not notified of the accident or of the sale.

The defendants have offered judgment for $549 75, being the amount for which the trunks and goods sold at Chagres and the amount of freight paid in advance and interest on both sums.

There is no pretense that fraud has been committed by the defendants or their agents, or that defendants or their agents knew of the accident or of the sale, until informed of both, at New-York, by the receipt of the amount of sale transmitted to them.

OPINION.

The defendants in this case, not being owners of or interested in the vessels and boats in which these trunks were to be conveyed between New-York and San Francisco, were not common carriers, and are not liable as such.

The defendants are bailees for hire to receive these trunks or, and to forward them from and to, place to place, to destination, by the ordinary and approved means of conveyance, and had a legal right to define the extent of their liability.

By the contract in this case defendants assigned the motives to deliver the trunks and contents specified to Mr. Burnett, at San Francisco. They were not to be liable for any loss or damage arising from dangers of the ocean or river navigation, leakage, fire, or from any cause whatever, unless the same be proved to have occurred from the fault or gross negligence of the defendants, their agents or servants.

In this case it is established that up to the time when Captain Angels and his crew deserted the trunks from the "sunken and lost" boat, there was the fault of the River Chagres, there had been no fraud or gross negligence by the defendants or their agents, or servants, and the defendants are not liable for any damage that had occurred up to that period.

The only remaining question is whether, according to the agreement between the defendants' agents with

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the plaintiffs under the facts proved, they are chargeable with gross negligence in not delivering the trunks and contents in their damaged condition to Mr. Burnett, the consignee.

The defendants' contract must be construed with reference to the rights and obligations of other persons engaged in the transportation of these trunks by and with the plaintiffs.

Capt. Angels of the boat on the river Chagres, was a common carrier, and during the time he was in possession of the goods was responsible to the plaintiffs to the full value of the trunks and contents, $2,025 9c. for the faithful performance of his duty, and, as an bailee, and for all his legal liability as common carrier; and he had a right, for the purpose of saving himself harmless of legal responsibility, to do with these trunks and contents whatever the law under similar circumstances author, and common carriers to do; and the defendants under the authority mentioned in their agreement had no power to prevent him.

In addition to this, the defendants and their agents had no knowledge of what Captain Angels was doing.

The first information they received upon that subject was after he had sold the trunks and goods.

The defendants, therefore, have not been guilty of negligence.

Decision.—There must be judgment for plaintiffs for $307 75, being the amount for which the defendants offered that plaintiffs should take judgment, and which offer must control, with costs to the defendants, since the offer of judgment.

Before Hon. Judge Clerke.

DECISIONS.

Brown vs. *Krohn*—*Tuesday* vs. *Same.*—Motion to discharge from arrest granted without costs.

McDermott vs. *Allstadt.*—Motion denied, without any prejudice to rights of the defendant (Allstadt) to move to have judgment opened on ground of having a good defense.

Mitchell vs. *Union Banking Association.*—Motion granted without costs. Plaintiff, in behalf of himself and Brakman, to have the right to appeal from this and the original order, and to a stay. This order to be settled on a two days' notice.

SUPERIOR COURT—General Term.

Draper vs. *The Commercial Insurance Company.*—This is an action on a valued Policy, effected by the Commercial Insurance Company, on a steam propeller named the *Alabama*, on a voyage from New-York to Vera Cruz and back, touching at Havana. The Policy was dated the 20th of March, 1853.

By the 1st clause of every vessel which is insured must be in a seaworthy condition, and have a full complement of men, and charts, maps and nautical instruments. A vessel is not considered seaworthy, unless her captain is a thorough seaman, and an American.

It appears that the vessel was registered at the Custom-House in New-York, on the 25th of March, 1853, and in that register one Alexander H. Greene is stated to be master, and a citizen of the United States. He was no seaman, and had no management of the vessel. One McNeil, who was a British subject, acted as captain; gave all the orders, and had all the nautical management of the vessel. Capt. Greene, in his sworn proofs, supposing McNeil was admitted to be a competent master, but Greene did not know anything about navigation, and had never been to sea before. The vessel was wrecked on the 27th April, at midnight.

The Companies refused to pay the insurance and the plaintiff brought his suit. The question before the Court was whether the vessel was seaworthy.

The Court held that the fact that there was a competent navigator on board did not exculpate the owners. The master should himself be competent as a navigator. The authority was in him and the utility should be in him also.

Judgment reversed and judgment for plaintiff.

Before Hon. Judge Roosevelt.

Meyerpe vs. *Hassard.*—Judgment for plaintiff on demurrer, with leave to answer in ten days, on payment of costs, taking notice of trial for March next.

Cowles vs. *Haughey.*—Motion denied with $10 costs to abide event.

Smith vs. *Greer, Sheriff, &c.*—Ordered that sheriff pay moneys in his hands on the execution in favor of the plaintiff.

Marchard vs. *Langlon.*—Stretton on appeal having justified, the execution is superseded on payment of sheriff's fees.

Ward vs. *Falconer.*—Referee confirmed.

SUPERIOR COURT—Special Term.

Before Hon. Judge Hoffman.

THE CASE OF ANNANGOIS—AMOUNT OF BAIL REDUCED.

The Republic of Mexico vs. *Francisco de Annangois.*—This case came before the Court about two weeks ago, on a motion to vacate an order for the arrest of the defendant. The facts are briefly these:

*The defendant, Mr. Annangois, in 1854 was the Con*sul-General of the Republic of Mexico at New-Orleans. In the month of July of that year, he received an order from the Treasury Department of Mexico to proceed at once to New-York, to take possession of the $7,000,000 paid over by the Government of the United States under the Gadsden treaty, and of which General Almonte, the Mexican Minister at Washington, had possessed himself, without the authority of his Government.

Annangois came to New-York and took the $7,000,000 from the hands of Almonte, and deposited them according to instructions, in his own name, to avoid the claims of the creditors of Mexico. Mr. Annangois afterwards paid over the moiety to the Government, reserving, however, nearly $70,000 as his commission, being one per cent.

This sum the Mexican Government avers that Annangois fraudulently retains, and have instituted this suit to recover it.

The complaint alleged that the defendant has resigned his position as officer of the Mexican Republic, and was about to leave the United States. Under these circumstances the order for arrest was granted, and the defendant was arrested on the 6th of January.

The motion was argued at considerable length by D. D. Lord, for the Mexican Government, and John Anthon and Wm. H. Anthon, for the defendant.

Hoffman, J.—The defendant, Annangois, having been arrested under an order made by one of the Justices of this Court, and given bail as the amount of $34,000, now applies to be discharged, upon the insufficiency of the affidavits on which the order was granted, and upon further affidavits and documents, on his own part.

The first question that comes to the front of the controversy is, upon the proofs, and this materially depends upon the correct understanding of the position of the defendant upon the record.

The right of a foreign sovereign to sue in the Courts of England, upon which Lord Thurlow entertained doubts, has long been fully established. In the case of the King of Spain vs. Machado, (4 Russell 225,) Lord Brougham speaks of it as one of the clearest cases that could be stated; "that he sues as a sovereign, either on his own behalf or on behalf of his subjects."

So, also, the Sultan of the Turkish Empire, in the East India Company (1st Vesey, 388;) the King of Hanover, (Wilmot, 404;) the Emperor of Russia, (Russell 224;) the King of Spain (2 Bligh, U. S., 31, and Clark and Finelly, 33.) It will be seen in all the English cases in which the right to sue has been adjudged, the plaintiff was a monarch, and was treated as an individual. The case of the city of Rome vs. The Bank of England (9 Vesey, 348) was decided upon the point of the State not having been recognized by the British Government. It is also to be noticed that the suit was by a Consul-General, on behalf of himself and his associates in the Government. "* * * Where the case of the King of Spain vs. Machado was before the Court, it was held that two persons, the agents of the King, had to whom he had given a power of attorney to collect and deposit the funds, but who had no interest in the amount, could not be joined with the King as co-plaintiff (4 Russell's Rep., 223.)

The case of the Columbian Government vs. Rothschild (1 Simons, Rep. 100) is of importance in ascertaining the English rule, not merely because it was decided by a very able Judge, (Sir John Leach,) but that it has received the sanction of Lord Eldon, Lord Redesdale, and Lord Brougham. Compare the report in the House of Lords, in 1 Dow & Clark, with that in 1st Clark & Finelly, 33.

The bill was in form by the Government of the State of Colombia, and Don Manuel T. Hastado, a citizen of such State, and Minister Plenipotentiary from the same to the Court of his Britannic Majesty, with the place of his residence stated. On general demurrer it was held that the bill could not be sustained. The Vice-Chancellor said that a foreign State is as well entitled to the aid of the Court in *securing its rights as any individual*, but it must sue in a form which makes it possible for the Court to do justice to the defendants. It must sue in the name of some public officers who are entitled to sue in the name of the State, upon whom process can be served on the part of the defendants, and who can be called upon to answer the demand.

The English authorities appear to settle these points: That the sovereign country may sue in the tribunals of the realm; but he sues as an individual. An action cannot be sustained in the name of his agents, although they may be regularly empowered to act in the identical business.

* * * * * * *

I cannot but think that an examination of the old cases referred to by counsel, in the Nabob of Carnatic vs. the East India Company, will tend to prove that an ambassador may maintain an action on behalf of his sovereign, notwithstanding the doubts of Lord Bexleyn upon the subject. (6 Vesey, 431.)

In the case of King of Spain vs. Oliver, (10 Peters' Rep. 317, 376,) an action for the recovery of duties alleged to be payable to the Crown, was brought in the Orleans Court, and decided upon its merits. It appears that an application was made for a continuance upon the affidavit of the Spanish Minister.

These are all the authorities I have been able to find upon the subject, and I believe the question is entirely new in our country. The principle which pervades the English cases is marked by that spirit of equality and justice which is the inmate of English tribunals, and that principle places the sovereign and the peasant upon the same footing.

But the reason of the bill lies deeper. It has its origin in that leading doctrine of European policy which, in the language of Guizot, places "the personification of the State in the institution of the monarchy." This embodiment of the commonwealth in the individual has given way over the sentiments of America to the idea of the concentration of the power of the people in an abstraction. Legislation accordingly does not find its representative in a king with his personality, but in a republic with its idealism. Still, there is the same kindred and communion of feeling, the same sympathy. The family of nations, though with different names and modified forms, exists; and their rights and their responsibilities must be forever the same. The catholic law of nations is identical in its application to all.

With these views, I consider that the objection to the [illegible] admits of the Court treating an unstatutable, signed by an officer or agent of a foreign government, as good or not, to be an indemnifying on the part of the plaintiff.

There is a question which has not been alluded to

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upon the bail bond, but within jurisdiction of the Court, and the same rule applies to the amount of bail. If the order of this Court has any jurisdiction in the case—whether, upon a judge in the county the defendant, is not found out to have been, and to remain, the Consul of the republic.

In the affidavit of Consul Almonte, on which the order of arrest is founded, it is alleged that at the time of the reception of the money mentioned, the defendant was an officer and agent of the republic, having, as such, a salary of $3,500 per annum; that he acted in the business only as an officer or agent having a stated salary; that the defendant, after receiving the money, resigned his office and employment.

In the letter from the office of Secretary of State and of the Department of Foreign Relations, dated July 17, 1854, Regulations are prescribed as to the salaries of consuls, and the Minister Plenipotentiary directed to carry them into effect. In recommend of these instructions General Almonte addressed an official letter to the President, under date of 28 August, 1854, asking information as to his salary, and omitting him "The General General of the Republic, &c. &c."

On the 8th August, 1854, the defendant signs a receipt for his salary, as Consul-General in the United States, for one year, in advance.

In two of the series of letters addressed to the defendant from the various Departments of the Government, dated 26th July, 1854, and addressing him as holding the money, he is addressed as "Consul General of the Republic in the United States."

This is the plaintiff's case; and it follows, either that the defendant was, at the time of his employment and agency, the Consul General of the Republic of Mexico, or that he had no official character, with its duties and privileges, whatever. The plaintiff asserts that he was a salaried officer or agent. It is contended that the office he held was Consul General.

If not such, then he was not acting at the time of such agency in any station as officer or agent, with a salary. Therefore, if he was Consul General then, and he remained, this Court has not any jurisdiction of the cause. If he was not such, he filled no office; and then a very important part of the argument of the plaintiff's counsel against the right to compensation wholly falls.

* * * The public, then, must, I think, be driven to the admission that the defendant (Annangois) was Consul General when he acted, and are compelled to move the assertion that he resigned that station.

But the defendant takes the ground that he was not the Consul of the Mexican Government when he was performing these duties, nor when he was paid. He says he was appointed Consul General, in Mexico in New-York, and was afterwards created, at New-Orleans; that he received instructions dated 10th July, to leave the Vice Consul the discharge of his duties at New-Orleans, and to proceed to New-York as Special Commissioner to take the moneys from the hands of the plaintiff, and, if necessary, to resume his place in Mexico; that he received such instructions on the 20th of July, abandoned his office and promoted to New-York. He says that he held no office at all properly so called, where he contemplated performing the duties in question, that his duties being a commercial agency, and his functions having been renounced by him, and never again assumed. He also explains away his receipt for his salary as Consul; whether successful or not it is of moment to show his renunciation of the character. It is remarkable that no formal act of official resignation is exhibited by the defendant, and it is left doubtful whether at this moment he is not *de facto* the Consul of his Government. I am inclined, however, to think that for the purposes of this suit his admissions are sufficient to prevent the act of Congress from applying, and to authorize the action in this Court—that he will be hereafter absolutely stopped from claiming his privilege, even if he now possesses the office.

Applying the law thus stated to the facts of this case, as now presented, I have come to the conclusion that the defendant shows a right to a compensation by way of commission from Government. * * * The Mexican Government, in this case, entrusted what it deemed a duty of delicacy and high importance to the defendant. It has been accomplished with admitted skill and promptitude, and subjects him to the present claim a breach of faith and trust, with acknowledged fidelity. The services were of a mercantile nature. He receives compensation in money, and mercantile law and usage sanction it.

But the line of reasoning, and the authorities which give the power, and make it the duty of the Court to judge of the right of action upon such a motion, require it also to decide how far a claim can be maintained when the plaintiff appears entitled to some, though not to all he demands. It is my duty in this case to pass upon the extent of the compensation to be allowed upon all the facts before me, as well as upon the right to any compensation; and, in my opinion, the sum withheld is a fair compensation for the services rendered. I am of opinion that one-half per cent would be proper and sufficient, and it therefore results that the amount of the security in this case should be reduced to $36,000, and the order of arrest so far modified.

FIRST DISTRICT COURT.

Before Judge Green.

VIOLATORS OF THE ORDINANCES OF THE CORPORATION.

Yesterday the Corporation Attorney brought into this Court 100 defendants, who were sued for violating the City ordinances, for encumbering sidewalks in various ways; but a number of them had been in the habit of cutting blocks of marble in front of their premises up town, and claimed that they understood that such occupancy of the streets and highways was one of the reserved rights of the trade. These defendants were undeceived, and several of them compromised by paying a portion of the penalty. Upwards of sixty of the cases were passed upon by the Judge, who fined them in various amounts from $5 to $100. Six cases were adjourned until the next Court day.

COURT OF GENERAL SESSIONS—Feb. 13.

Before Hon. Judge Stuart.

THE CASE OF THEODORE A. GRAY, THE "VITRIOL MAN."

In this Court yesterday, in the case of Theodore A. Gray, the notorious "Vitriol Man," whose mischievous pranks in Broadway, and at the doors of various Theatres and places of amusement, caused some excitement in the community a short time ago, the bail was discharged,—the District Attorney, after a strict examination of his condition, being satisfied that he was in some points, deranged, and not properly accountable for his actions. It is understood that he will be released from custody. Messrs. P. D. Lounks and Dan'l E. Sickles were retained as his counsel.

THE CASE OF JOHN B. HOLMES FOR THE MANSLAUGHTER OF POLICE-OFFICER COURLEAY.

Mr. Jonas B. Phillips, addressed the Court in this case. He stated that Mr. Holmes would have been ready for trial yesterday, according to arrangement, but for an unfortunate circumstance. While going home on Friday night last, he was knocked down by some unknown persons, and so violently beaten that he was not able to leave his bed. Mr. Phillips read an affidavit from the physician in attendance on Mr. Holmes, to the effect that he was unable to appear in Court for trial. The Judge fixed Wednesday, 8th inst., as the day of trial.

GRAND LARCENY.

John Little and Edward *alias* Andrew Finley were charged with stealing a sewing-machine belonging to Mr. J. W. Martin, of Chatham-square.

Thomas Pulford, officer of the Ninth Ward Police, deposed that on Jan. 6, about 8 o'clock in the evening, he, in company with another officer, arrested the prisoners at a second-hand clothes shop in Orange-street. They happened to look into the store, and seeing the prisoners there, and knowing them to be notorious thieves, walked in and took them into custody. They were trying to sell the machine, which was afterwards identified by Mr. Martin.

John W. Martin deposed that he was a maker of sewing-machines. On Jan. 6, the machine in question was sold in his store at about 5 o'clock in the evening. The value of the machine was $60. It was Reed & Miller's patent. He saw the machine at the station-house, where the prisoners were in custody.

Mr. Milliken spoke for defence, and argued that even if Finley were guilty, there was no evidence against Little, the police officer having testified that Finley carried the machine. The fact was, Little met Finley and accompanied him to the shop, believing that the machine was Finley's property.

The Jury, however, were of a different opinion, and found both prisoners guilty of grand larceny.

The Judge, in passing sentence, observed that the prisoners were notorious thieves, and that the Jury had *done great service to the community in passing such a* verdict. He should sentence them each to three years and three months' imprisonment, with hard labor, in the State Prison.

SERIOUS CHARGE OF MANSLAUGHTER.

Dennis Carrick was placed at the bar, charged with the manslaughter of Hugh Hagan, on December ninth, at the foot of Chambers-street, on Dec. 13, 1854, by striking him on the head with a cart rung, from the effects of which assault he died at the Hospital four days afterwards.

The District Attorney opened the case by observing that the Grand Jury, in his opinion, had taken a lenient view of the case, which certainly looked very much like murder. But, as the parties had never previously seen each other, and as, perhaps, the prisoner did not intend to kill, it was best to view it as manslaughter—under which degree of manslaughter it should come, would be for the Jury to decide. He suggested it would fall under the third or fourth degree.

Thomas O'Keefe was first called to the stand. He deposed that he was a licensed emigrant runner, and kept a licensed emigrant boarding-house at No. 277 Front-street; he had known Hagan, the deceased, for about four years; he went with him on the night in question, from the Battery, along the docks; they saw a steamboat coming up the river and followed it till they came to the foot of Chambers-street; I got some passengers (continued witness); their baggage was taken away from me; I afterwards saw Hagan coming from one side of the wharf to the other; he was arguing with Carrick and offering to fight him; Hagan lifted his leg to kick Carrick; I pulled Hagan back; Hagan asked Carrick to fight, and said if he would, he would give him enough; Hagan seemed to be very quarrelsome; he was raising his arm as if to strike, and I was trying to keep Hagan back he tried to kick Carrick; Carrick warded them off; the parties danced, and got a rung from the cart; the whole quarrel took less than two minutes before the blow was struck; it was a large cart-rung; Hagan was the aggressor; although he was drunk, we could see the blood run down Hagan's face; Carrick, the prisoner, had no marks on him; I don't think he intended to kill Hagan; the quarrel arose about an emigrant's trunk; it was quite dark; there was no lamps on the part of the wharf where this occurred; there was a large crowd there; they were the passengers from the ship belonging to the emigrant building; there were several boarding-house keepers and runners; I was there; Hagan had been drinking; he appeared to be much in liquor.

Mr. E. L. Ottinger appeared for the defence.

The principal witness for the prosecution was Patrick Carrick, who before the Coroner. This deponent was

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present and heard the quarrel between Hagan and Carrick; he was present at the time of the quarrel; Hagan was drunk; he had a quarrel with Carrick; Hagan was the aggressor; witness was present when the blow was struck; Hagan was struck with a cart-rung; witness was present when Hagan was taken from the dock; he was bleeding from the head; witness spoke to him, but he did not answer; he fell his hand, and his eyes rolled into the sound; the skull was broken in; witness then stayed after the quarrel; he saw Carrick and others have hold of Carrick at the head of Chambers-street dock; he asked him why he struck Hagan for nothing; he replied that he did not do it for nothing; he said nothing more; Hagan was a tall, strong, stout-built man.

Bernard Hagan, brother of deceased, deposed that he saw his brother at the Hospital; he died on December 16; he was not able at any time to talk about the occurrence; he never spoke a word.

This witness left the stand, muttering expressions of revenge against the prisoner.

The District Attorney read the testimony of Dr. Derby, Surgeon to the City Hospital. It was, in effect, that deceased was admitted to the Hospital on Tuesday, Dec. 12, and died on the Saturday following; he was in a state of insensibility from a fractured fracture of the skull; the fracture started from the temporal bone, and ended in the base of the skull, where there was a large clot of extravasated blood; the injuries were the cause of death.

The counsel for defence, Mr. Ottinger, took the ground that the blow was given by Carrick in self-defence. The sister of prisoner had just arrived from Ireland. He was on the dock to meet her and experienced the removal of her baggage; Hagan had attempted to take her baggage, on an emigrant runner; Carrick, who was no kin to Hagan, had interrupted the latter; Hagan was very quarrelsome; he had been drinking; he was in the act of striking Carrick; Hagan was the aggressor; Carrick was in fear of his life; he was struck by Hagan; Carrick said to him, "Get out of my way, I'll give it to the son of a b—h." Carrick said to him, "I'll get a M. P. to arrest you, if you don't go away." "You will, will you, you son of a b—h?" Hagan replied. Carrick took hold of some part of the baggage, and Hagan came at him again, and "hit him a kicker" on the right side." Witness stated to the Jury that he saw him in the act of falling, from the effects of the blow; he was standing so near to him that he thought the blow must have come over his head; it was very dark,—so dark, that he had to stare in a man's face to recognize him; there was a large crowd there, and great confusion,—women were crying out to different persons, "Don't, don't, you are breaking my leg!" Carrick had no violence or threats towards Hagan, before the blow was given. Witness did not see the blow or hear it—he only saw deceased fall.

John Graham deposed that he was on the dock on the night of the occurrence; he was the person employed to take Mrs. Finnessy's baggage to Brooklyn; he knew Hagan by sight; he was dressed; Big Hagan's formidable large size; I did not see him that night till I saw him carried off the dock; I heard the fracas; however, positively saw no one the deceased like a disorderly person.

Bartholomew Sullivan deposed that O'Keefe, the first witness, said him that he did not see the blow struck.

Several very respectable witnesses, among whom were his employers at various periods, gave Carrick an excellent character for peaceableness and activity. He was remarkable for never getting excited when his fellow-workmen used provocation towards him, and even threatened to strike him.

Mr. Ottinger made an effective appeal to the Jury on behalf of the prisoner, arguing that, under the circumstances, he had not, in the opinion of the Jury, have acted—defended himself when attacked, and when his sister was insulted. He felt confident that the Jury would regard the unhappy affair as an act of justifiable homicide.

The District Attorney, in his reply, took strong ground in opposition to the Counsel's argument, pleading that the law, and the moral sense of the whole community, would be outraged, if such an act could be held to be justifiable. No man's life would be safe, if such a doctrine could hold. It was defendant's duty to have an angry, rather than resort to such an act of violence, from which he was the provoker of her object. Admitted that was too much a thing to be taken in such a general sense this. All the circumstances—all the facts—must be taken in a lump; there was a large crowd there, and great confusion,—women were crying out to different persons, "Don't, don't, you are breaking my leg!" Carrick had no violence or threats towards Hagan, before the blow was given. Witness did not see the blow or hear it—he only saw deceased fall.

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New-York Daily Times.

NEW-YORK, TUESDAY, FEB. 18, 1855.

☞ Samuel H. Pease, Esq., is the only authorized agent for the DAILY TIMES in Burlington, Vt., and its vicinity. The paper may be procured by the single copy, or by the week or month, on application to him.

Congressional.

In the Senate, yesterday, a petition was presented from citizens of Providence, in favor of stipulating in treaties with other Governments, that arbitration, instead of war, shall be the mode of settling national disputes. The bill to remit, as referred, the *duties on goods destroyed by fires, which was* reported on the 6th inst., was passed. An abstract of the bill is published in our report of yesterday's proceedings in the Senate. The bill establishing the Circuit Courts of the United States for California was further debated, and finally passed, as was also the fixing the salaries of District Court Judges.

In the House, the resolution authorizing the President to confer brevet title of Lieutenant-General on General SCOTT, was passed by a vote of 126 against 65.

Title of Lieutenant General.

Congress has authorized the President to confer the Brevet Title of Lieutenant General on General WINFIELD SCOTT, for his eminent military service. The Senate Joint Resolution, on this effect, was taken up in the House of Representatives yesterday, under a suspension of the rules, and adopted by the honorable vote of 126 to 65—the opposition not so much to General SCOTT personally, as to the precedent of establishing a higher military title than has hitherto been known to the Army regulations of the Republic.

The bestowal of this distinguished honor upon the Hero of Chippewa and of Mexico, will meet the hearty concurrence of the whole country. It could not have been more worthily conferred or richly deserved. The illustrious recipient is the greatest living Captain of the age. The title of Field Marshal has often been bestowed by the absolute Governments of the Old World on less skillful talent in administration, if not on less eminent success, the number of troops at command being taken into account in action.

The numerous friends of the veteran General will be rejoiced to know that the new title is not merely honorary. It carries with it the substantial advantage of nearly $50,000, (as telegraphs our Special Washington Correspondent,) back pay, and $1,600 annual addition to his salary hereafter.

French Spoliation Bill.

Earnest hopes were entertained in Washington yesterday that the President is about to sign the bill of indemnity for French Spoliations. It is understood that Attorney General CUSHING, and perhaps other members of the Cabinet, are favoring the measure. A few days must decide the question, as the President is allowed only ten days after engrossment for deliberation. In the absence of a Veto the bill then becomes a law. It is possible he may prefer to let it take this course.

Free Talks with House-Hunters.

The landlords have hung out their flags—the signal for the annual house-hunting to commence. Before the grand cavalcade begins to move, we would drop a hint or two, which may possibly prevent some fretting and growling, otherwise due about the dog days.

There is something more to be considered than the size and style of houses, and the reputation for gentility of the streets they are situated on. A most difficult matter it is to determine what sort of neighborhood one shows into when he takes a "genteel house." It is very annoying, before he has occupied his premises a week, to discover that the silver plate on the next door to the right bears only the *respectable* alias of "Flashy Jack," the noted gambler, whose house is a habitation of that order which, in books polite, is written with a ——; or that the genteel premises on the left is a boarding-house, of so dubious a reputation that if his partner in business should stop at the door by mistake, it would be set down to his discredit by all moral people. The danger of such mischances are greatest on the west side of town, because the west is the "genteel side"—and sin, to be profitable, always courts gentility. But the greatest nuisance of other sorts are thickest on the east side—and it behooves one to do his hunting when his eyes are unobstructed, lest he find at last that he is paying his seven hundred a year for the privilege of inhaling a noisome odor—morning, noon and night. Of course, he will not locate willingly within a block of any slaughter-house. But he must remember that some very fair blocks, as they show in front, conceal behind their fronts very disgusting nuisances. Many a tenant has been disturbed on the night of the 1st of May by the sound of bleating lambs, lowing cows, and bellowing bulls—dreaming, poor fellow, that he lives in some rural village again, but finds on investigation that, though the green fields were all a dream, the sheep and the cows were not, since somebody's Branch Bull's Head, or some drover's cattle-yard, backs up against his rear partition wall. Better take it for granted, if a stream of blood meanders down the gutter, that a slaughter-house is somewhere concealed behind those fair-looking fronts. It is none of our business, of course; but, if he uses a soap and candle factory, he may arrange for such a stench anywhere within two or three blocks of it, upon every bright, sunny, Spring morning, as will make him abhor "bright, sunny morning," and loathe the very name of "Spring." He will find that the odor of rancid fat on frying days is exceedingly unpleasant, even though the manufacturer be the best of living men. Coal-yards and blacksmiths' shops are very essential to the comfort of the people; but it is no ill to calculate on getting the washing out, if you rent a house next to one, since neither coal-dust nor showers of cinders will permit the housewife to make any reputation at home, whatever her care may be over the family linen. Stables are very convenient, especially when you are going upon a journey, and need to take a carriage; but if, as is common, there is no pavement before them, and a public trough stands on the sidewalk, be sure that your women will spoil their tempers, and often get wet feet in passing before them.

Some men would fancy a residence for a year in Germany, and some would think a year well spent living in some large town of Ireland, studying the customs of the peasantry, *and becoming familiar with their gerious way* of having a bit of fun and merry way of mourning. Great facilities for acquiring such branches of knowledge exist in our City. Ireland is almost everywhere. A new Germany occupies, if it does not adorn, the eastern side. One of our correspondents remarked, lately, that rents abroad were much cheaper than at home. It is even so, in the foreign portions of our home City. Not that east of Avenue A you can get a suite of rooms any cheaper than on Second-avenue, *but that there the customs of the people re*quire less house-room and justify a man in an undisputed occupancy of every part of his domicil. There he can have things "convenient"—his bed as handy to his table as he chooses—and he is permitted to take company into his dining-room, where, if he have but one fire, it is pretty sure to be warm. Not only are these foreign quarters a convenience to the residents thereof, but because of the peculiar dislike in which they are held by pretentious people, their outskirts and vicinity are not reckoned desirable for a residence by the snobbish sort; so that really very convenient premises can be obtained at much more reasonable rents than elsewhere about town, along the edges and just out of tenement domain or "barracks."

We might say a word about the choice of landlords, but landlords are in the dumps just now—poor fellows—and we would not hurt their feelings thoughtlessly. Still, a man must either be out of his wits, or very thoughtless, who rents a house on the same block on which his landlord lives, or takes part of a house of which the owner occupies the other part. He may think himself a freeman, but he would better be a Hungarian in Austria, or a sleek slave of a plantation in Alabama, for all the liberty he will enjoy.

One will find that a very poor landlord is a bore, since he cannot secure the proper repairs upon his domicil; and a very rich one is equally to be avoided, since he makes it a *part of his scanty religion to raise every year* upon his rent, and is altogether too important to listen to reason, when it lies upon the tenant's side.

Lastly, let every one who goes house-hunting go out, like the worthy angler, hoping, indeed, but expecting no success to-day, and strong every morning to renew the pastime. There are more houses to be let in Gotham than one would dream of, from the bills that are yet posted. The six and seven hundred dollar houses may not differ much in their rent, but unless those of greater pretensions, and those also of the cheaper sort, are to be leased lower than last year, the "sure signs" have lost all their virtue.

Farming Improves.

That war in Europe promises to do us some good after all. Keeping up the price of flour, as it does, to such an extravagant figure, that a barrel of flour in a house makes the poor man feel that he must be a lineal descendant of Crœsus, so rich is he in the possession, and by the same token, making everything else bear a price far above its mark in times of peace, it is offering high premiums to farmers, and bringing this most important of the departments of American industry into favor. All through the States, so far as we can gather, the farmers are getting rich. Men who, a few years ago, if they made an extra dollar, handed it over for the 'Squire to keep, or the storekeeper, who innocently gave three per cent. for its use, and professed to be afraid to take it—"it was so dangerous to be handling money"—now want a daily paper to see how stocks are quoted, and read the list of fires with a personal interest, to learn what Insurance Company suffers. In spite of the hard times, farms, all the country over, hold their old prices, and the man who has a fee in ever so few acres, holds in that document a voucher for a competence a few years hence. We suspect that this improved price of farm products will at last open the eyes of the poor fellows who crowd the City, in good times striking for better wages, in bad times forced to clamor for work. "Laborers" have no trade to learn before they can command wages upon the farm, but when they have worked a few seasons a most profitable trade is learned, and the savings will buy a bank of earth in which they can deposit all future earnings, and be sure of ample dividends of comfort and competence, independence and health.

It will make obvious to men who have received a collegiate education, a new profession—the Agricultural. The young men who were born upon farms, and who in their infancy were familiar with the minutiæ of farm life, will see the folly of feeling that, because they have spent four years in College, now to do themselves justice they must learn to practice physic or law. While potatoes sold at two shillings a bushel and corn at five, no wonder men who had educated their sons advised them to turn to more profitable employments than raising either potatoes or corn. But when a stupid dolt with no other outfit than strong arms and an acquaintance with the routine of farming operations, can make money, an educated, thorough-bred farmer—one who knows both the theory and practice of earth-culture—can certainly make it profitable. It is so in all other departments of industry. In everything that pays, it is found that an education makes it pay better. Other things being equal, the best educated men take the lead in every department; and surely in a business so full as agriculture is of processes of mystery and curious application, the greatest success must rest with him who directs costly labor with the closest reference to anticipated results. Many of the processes upon the farm, even now, are about as reasonable and economical as the roasting of pigs was when the stupid owners of promising porkers brought them to the juicy, crispy standard of orthodox roast pigs, by burning the family cabin over their heads. There is the greatest opportunity for improvement in agricultural processes, not *simply by long manipulations in chemical* laboratories, or by noting chemical analyses; but, following the application of concentrated thought, by men who have been taught how to think to advantage upon the phenomena witnessed upon the farm, there is the promise of magnificent results. Now, war or no war, the products of farm culture are not likely for very many years to decrease much in value. With the success of agriculture, and the natural draining into agricultural pursuits of thousands who now occupy to bad advantage other fields and follow other pursuits, those who remain will be benefited, practicing the mechanic arts and the profession. The war, like a stupendous tariff that we all voted against, but could not avert, has afforded incidental protection to these main arts of peace. By the time that its protection is removed, as appearances now are, they will be better able than ever before to take care of themselves.

A Free Academy for Females.

Every citizen—a solitary exception does occur to us—feels proud of our Free Academy. Its benefits are acknowledged, on every side. It would be difficult to say whether it does more good to the students quartered within its walls, or to the inmates of our Common Schools, who are encouraged by its terms of admission to a wholesome rivalry to attain its honors and privileges. So as great a favorite as it is, we marvel that a movement has not before now been organized, to extend the advantages of a similar institution to the *female* pupils of our Common Schools. There is not an argument in favor of the existing Free Academy that is not equally forcible for the establishment of its counterpart for girls. When it was established, it was deemed wise to try the experiment first with males. That experiment has succeeded, beyond any peradventure of future failure, and the sentiment grows stronger daily that both sexes should be privileged alike in this regard.

Within the past few years, much had been done towards correcting popular notions respecting the value of an education to females. Questions of this sort have been much discussed and satisfactorily answered. It is generally admitted that a woman of wealth gains as much by an education as does a rich man, and that poor girls have as much need to be taught well, and have their prospects as much brightened by an education, as poor boys.

Since the sewing machine has stolen away the trade of thousands of females, and since most of those delicate arts which formerly were their subsistence have been snatched away by machinery, there are very much greater reasons than before why they should be put in the way of acquiring other arts that are no less naturally theirs. Without question, they should be for the most part the teachers of our children; they should keep our stores for the sale of lighter goods; their delicacy and tact, their neatness and care, entitle them to put up our prescriptions; they should have to do our copying, and the greater portion of that purely clerical labor which demands sedentary habits, and no other than the most strictly feminine accomplishments. But for all these posts girls generally are most sadly deficient, from a lack of education. It should not be so. Little in demand as the needle is now, we are told that hundreds of families, in which there are able-bodied men, but with no work to do, have been saved from beggary during the present hard season simply by the unceasing application of the needle by the females of the family. When the education of girls fits them to enter into the employments that at an early day doubtless will be opened to them, we shall be better prepared to meet the pressure of financial difficulties, and avoid the distress now so prevalent.

The establishment of a Female Free Academy, to which admission were granted on the same terms that regulate admittance to the Free Academy for boys, would give a marked and lasting impulse to female education. It would lead up from the very poorest ranks of New-York society hundreds of those bright-eyed girls, of whom the Industrial School teachers tell so much, into the very first ranks of influence.

But the necessities of such an institution seem too obvious to require anything more than a suggestion. A far better project than that of carrying a moiety of the City Hall business up town, would be the establishing in the vicinity of Madison-square—say on the grounds lately occupied by the Hippodrome—a handsome and commodious building fit for the accommodation of a Free Academy for girls, and of a Normal School of larger pretensions and of more regular and continued instruction than those we now enjoy. The locality is convenient to the Academy on Lexington-avenue. The open square in front, and all the ornamentation that the taste of the City Fathers will hereafter secure it, would be beautifully in place. It may shock some to talk of giving so fine a situation to so plebeian a thing as a Common School of any form; but wiser people hold our educational system to be quite as honorable to us as our municipal system. For our own part, we confess that the Square would seem to us to be as highly honored by the temple to Literature, as by a building for the accommodation of the City Legislature.

ANOTHER UNNECESSARY CONSCIENCE.—It is said that $70,000 has been raised for the establishment of a Universalist College, to be located at Salisbury, Ill. $30,000 more is required before the charter will take effect, and this it is believed will be procured before June next. This, we believe, is the second College connected with the Universalist denomination in the United States—Tufts College, at Somerville, being the first.—*Boston Journal.*

Perhaps, believing in the policy of maintaining our colleges, we ought to rejoice on hearing of the charter of any new one. But we cannot resist the temptation of feeling that it is very much as if one, because his team grows faint and weak for lack of fodder, should add another beast to his stable, yet add nothing to the furniture of the barn. In *truth we are a most thriftless people as to* our institutions of learning. We are continually founding and never endowing; every year adding to the number of charters and every year increasing the list of the crippled. Were every half-dozen of our colleges bundled into one, we should have institutions that could stand alone, and so standing, double the good now done by all, and shine with a far clearer light. In New-York State the tower of one can almost, by a strong telescope, be revealed to the observer from the tower of the other, so thick they stand. Like too many onions in a bed, they feed on each others nourishment and all starve. At the West, considering the amount of population, it is still more frequently true. For the sake of those that are, we cannot very heartily rejoice over the prospects of new ones. There is a brighter feature, however, than this. Hard as they are to live, each one does much good, even in its crippled state. The vicinity in which it is situated experiences an undoubted benefit. The children of many poor persons who would not feel able to pay for an education away from home receive its advantages, being close at hand, and many patronize it who would never think of doing so if outside the sound of its morning and evening bell. Then each religious denomination aspires to have its own system of parochial schools, colleges and seminaries. For each sect's sake, doubtless, it is wise policy. For the general educational interests of the community it is almost as doubtless a bad policy. Between the two there is a problem of some difficulty to be settled.

☞ An indignant *Briton* complains of the mention in our leader yesterday of the Scotch and Irish Regiments at the Alma and at Inkermann, to the slight of the English. The omission was wholly unintentional. We designed no invidious comparison between the troops of the British army. The contrast intended was between their bravery, displayed before Sebastopol, and the mismanagement of the Government in London; not forgetting the inefficiency of the Commander-in-Chief.

Musical.

The short season of MARIO and GRISI, under the management of Mr. HACKETT, at the Metropolitan Theatre, opens this evening with "Puritani," to be succeeded on Wednesday by "Lucrezia Borgia," only representation of that Opera.

ACADEMY OF MUSIC.—The programme for the Season is now before the public, and is certainly "big with promise." There are some features in it worthy of attention. Foremost among these we may refer to the moderate prices of admission, and in connection therewith to an arrangement whereby every one may obtain the privileges of subscribers by paying twelve dollars—that sum entitling them to an admission and a reserved seat to twelve performances. During the first subscription (twelve nights) the management guarantees the production of two new Operas, "Rigoletto" by VERDI, and "William Tell" by ROSSINI. The admissions at the door range from one dollar to *twenty-five cents.* Democratic this!

The engagements already concluded embrace the names of two gentlemen unknown to an American public—Signors BOLOGNI and BARILLI—and of other well known favorites, as BERTUCCA MARTZERE, PATTI STRAKOSCH, BADIALI, &c. One of the lessees, Mr. STRAKOSCH, is now in Europe, and in a day or two may be heard from with a list of other talent.

With MARETZEK at the head of the orchestra, ALLEGRI of the scenic department, and competent artistes to interpret new works, there can be little doubt of success. At all events, if the promise of the prospectus be realized, the management of OLE BULL & Co. will deserve success more thoroughly than any speculators who have undertaken, or may undertake, the rendition of Italian Opera in New-York.

BROADWAY THEATRE.—Miss LOUISA PYNE made her reappearance here last evening, after her severe indisposition, and met with an enthusiastic reception. The house was crowded in every part.

WALLACK'S THEATRE.—This is Mr. BROUGHAM'S night. So universal a favorite needs no commendation.

The Albion.

This able conducted British and Colonial journal—now over thirty years established in New-York—devoted to Foreign News, British Politics and Literary Intelligence and current Literature, has recently presented its subscribers of 1855 with the customary annual gift picture—an original steel line engraving, 24 by 36 inches, representing a view of the Falls of Niagara. As a work of art it is deserving the highest praise, and as a compliment to the patrons of the paper, reflects a generous liberality on the part of the editor and publisher. Notice, we observe, is given that new subscribers have choice of any one of the back plates, such as WELLINGTON, VICTORIA, FRANKLIN, Prince ALBERT, &c.

Mr. YOUNG has just taken a business partner in the *Albion*, in order to relieve himself of the details of the publication office and to give his attention more exclusively to his editorial duties. To this end he has taken from our own office, Mr. S. J. ATHERN, late and for three years past Principal Clerk to the DAILY TIMES, whose faithful services we much regret to lose, but whose transfer to the *Albion*, we have no doubt, will result as well to promote the interest and increase the value of the establishment, as to his own advancement. The firm is to be WILLIAM YOUNG & Co.

A New Irish Paper for Boston.

From the following notice in the Boston *Times* of Saturday, it would seem that the newspaper wants of a large number of liberal-minded Irishmen of Massachusetts are about to be supplied. The wish of the *Times* in reference to Mr. SAVAGE is that of all who have the pleasure of his acquaintance. Mr. SAVAGE has the advantage of a number of years of newspaper experience, which, together with his talent as a writer, and his familiarity with the subjects most likely to interest those who have called for the establishment of such a paper as he proposes to edit, vouches his prospect of success as flattering as his many friends can desire. The *Times* says:

A number of our most intelligent citizens of foreign birth, have subscribed the necessary funds, and made arrangements for publishing a weekly paper in this City, to advocate and fearlessly maintain rights of true republicanism among their fellow-countrymen. Mr. JOHN SAVAGE, who was formerly editor of the *National Democrat*, New-York, and since then the literary editor of the *Citizen*, will be chief editor of the new paper, assisted by a corps of able contributors. Mr. SAVAGE, though a young man, is an able writer and speaker, and will shortly lecture in Boston, and other towns, on "Wolfe Tone and the Men of '98." We cordially wish Mr. S. and his new enterprise every success.

Death of the Senior Proprietor of the Boston Journal.

We yesterday noticed the death of the father of the proprietors of the Boston Daily Journal. We have now to record the decease of his son, HENRY ROGERS, Jr., the senior proprietor, on Sunday last. Mr. ROGERS was an energetic and successful business man, honorable in his dealings and highly respected by all who knew him, both in public and private life. The father and son will be buried together.

A Workingman's Rejoinder to Mr. Olmsted

To the Editor of the New-York Daily Times:

In my communication to the TIMES of the 2d inst., written in reply to Mr. OLMSTED, I am not *aware that I exhibited any bad temper, or that I* attributed any wrong motives to that gentleman. Let him have all credit for honest intentions and well-meant endeavors to serve his fellow-men, but let him do me the justice to believe that I, too, am equally honest and well meaning. Certainly I did not mean to accuse him of suppressing any portion of the correspondence upon the subject of *Work and Wages* in the country, elicited by the publication of his circular; nor did I, in my criticism upon that correspondence, anywhere mean to say that none of the one hundred and fifty thousand unemployed workingmen in this City, or the hundreds of thousands unemployed in other cities and towns throughout the land, can get work at *any* wages. I have re-read my communication and cannot see that my language will admit of any such construction.

My article was simply intended to show, and I think did show, that whatever might be the opinions or wants of Mr. OLMSTED's correspondents, (being all employers and a comparatively very small number in proportion to the number that he should have heard from in four months) the migration of natives of this country from the interior to the commercial and manufacturing towns and cities, in consequence of land monopoly and the resulting inability of landlords to furnish employment at anything like remunerating wages, conclusively proved that the demand for labor on the farm did *not* exceed the supply. The premises upon which my argument was based, were drawn from the returns of the last Census taken by the authority of the United States Government, the correctness of which no one will have the hardihood to deny, and if the conclusion these admitted premises inevitably compelled me to receive, was erroneous or illogical, Mr. OLMSTED could not do me a greater favor, nor more completely establish his own position and justify his advice to workingmen, than by attempting to demonstrate this fact, instead of assailing me for my alleged want of courtesy and good manners.

I am always quite ready to acknowledge any error that I may have inadvertently committed, when it is shown that I am guilty. In this matter, however, my guilt does not yet appear. On the contrary, the experience of every day confirms me in my belief, that the tendency of legislation, of the present banking system, with or without usury laws, and of trade, both foreign and domestic, to swallow up the small farmers, annexing their farms to the domain of their more wealthy neighbors, and reducing them to the condition of hireling laborers, even more visible in this country than in Great Britain, (for there the laws of Primogeniture, bad as they are, do serve to restrain, in some measure, the undue influence of great wealth,) fully accounts for whatever distress that may at any time prevail among the laboring or any other classes of society. It is, indeed, too true that the monopolists of the products of labor, in the first place; the monopolists of the means of exchange, in the second place; and the monopolists of this and that department of trade and commerce, in the third place; stand between the giant land monopolists and the laborer, so that he cannot immediately obtain an equal right to the use of a limited quantity of the soil, which is his birthright. But in spite of these obstacles, the truth yet remains, clear as sunlight, that the primary cause of all disorder, and poverty, and crime, is the legalized traffic in and monopoly of the land, and that the destruction of this terrible cause of human misery and wretchedness should be the ultimate object of the working classes in their efforts to obtain permanent relief, whatever be the difficulties they may have to surmount in accomplishing it. Will Mr. OLMSTED, or any other person, be good enough to inform me when (as in this State) farmers own more than three hundred per cent. more land than they do of other capital,—paying out in the first instance all their available means to satisfy one-quarter part of the purchase money, then mortgaging the whole of their land to secure the payment of the balance, and appropriating from year to year nearly all their profits towards the satisfaction of the *interest* upon the mortgages; what else can happen but that finally many of the farmers will lose their farms? Farming will become a poor business, and they and their sons and daughters will be compelled to leave the homesteads whereon they were born, to seek such homes as they may be able to find elsewhere. I find it utterly impossible even to conceive of any other result; and it is, perhaps, to this imperfection of my human reason or imagination, that Mr. OLMSTED must attribute my anxiety to have secured to the working classes, by wise legislation in all the States, the enactment of laws to *limit* the quantity of land that any person can acquire.

For my "order" I speak—not on my own account. I have not sought, I shall never seek, employment as a laborer on a farm; neither my tastes nor my talents lie in that direction; yet if the law secured to me the right to the use of a limited homestead, I should be able to command an *equivalent* for my services in that department of industry I prefer, and am adapted to fill, which I cannot now at all times obtain. WILLIAM WEST.

NEW-YORK, Thursday, Feb. 8, 1855.

Thomas H. Benton and the Mercantile Library.

The following is the response of Hon. THOMAS H. BENTON to the Committee of the Mercantile Library, who presented him with a silver pitcher and salver, as a testimonial, in consideration of the services rendered that institution, in lecturing for their benefit at the Academy of Music:

WASHINGTON CITY, Feb. 8, 1855.

GENTLEMEN: I have duly received your most kind letter, and the beautiful silver pitcher and salver which accompanied it, testimonial of the good will of the Mercantile Library Association of the City of New-York, for the little service I was fortunate enough to render it.

Be assured, gentlemen, and please to make it known to the association, that I feel myself three times compensated, and overpaid every time, for the little that I did; first, in the most numerous and eminently respectable audiences which did me the honor to listen to my discourse; secondly, in the rich and massive piece of plate which you have sent me, and in the workmanship of which the taste and skill of the artist have vied with the munificence of the donors; and, thirdly, in the most generous terms in which you have referred to my public labors for our country, as well as to the small service I was able to render your association.

In stating these extraordinary rates, I take leave to say that there was no appropriateness in the selection of the particular article for the testimonial, beyond what might have been understood when the pitcher was first spoken of, and which is this: When I was young I became what Dr. FRANKLIN was—my only school of instruction to that illustrious man—when he worked at his trade cutting in London, an aquatic—the term which his comrades applied to designate him as a water-drinker. I also drank water, and nothing stronger. In the early part of my life—the first half of it; and to that abstinence from all vinous, spirituous and fermented fluids I attribute the good health and general vigor which I now enjoy.

As this allusion touches a point at which a word might be useful to other young men desirous to advance themselves in life, and to have good health in old age, I will go on to say that, at that time, and in the South, it was the custom in every house to offer something to drink to all visitors—even boys; and that excuses were no defence for those who would refuse. Pressure, importunity, custom, broke down all scruples, and it became necessary to oppose with always peace was unavailing; so I made a law for myself that I would drink nothing until I should be in the decline of life, and might need it; and resolutely pleading that law, I afterwards escaped importunity. It was the first stand, "solitary and alone," that I ever made; but not the last. I was young enough, and silly enough, at that time, to suppose that this decline would come upon me at thirty; and so fixed that age as the limit for my law. When thirty came—I did not feel the decline, and extended the time, and eventually relaxed into temperance, and have remained at that point ever since. Thus, the first half of my life was abstinent, the second half temperate, and to these conditions I attribute whatever of mental and bodily vigor I may now have, and whatever of business application I have ever shown.

The laudableness of its objects, and your indulgence, will excuse this *episode*; and the classic water pitcher you have sent me—(modelled in the *fashion of that in which a certain ever-blooming* nymph was supposed to have handed something both sweeter and stronger than water to certain mythical personages who claimed a superiority over common mortals in everything except their frailties)—will be a continual remembrance of how much I am indebted to the early limitation of my imbibing faculties to the use of that innocent fluid of which—since the disappearance of Hebe, Nectar and Jupiter—it has been the appropriate holder.

Very respectfully, gentlemen, your obliged, fellow-citizen, THOMAS H. BENTON.

THE MAINE STATE PRISON.—From a report of the affairs of the Maine State Prison, Thomaston, we learn that the earnings of the prison for the last year were $9,270 30, expenses $7,794 66, showing a net profit of $1,475 72, although, owing to an advance in the prices of all kinds of provisions, with the increase in the number of convicts, the subsistence account shows $1,063 14 more than in 1853. The officers' salaries take up $5,336 64. From the accounts of the Inspectors, it appears the prison owes $2,919 74 over the debts due. There is a very good library for the convicts containing over 200 volumes. Forty-two convicts were received during the year, 14 discharged by expiration of sentence, and 9 pardoned, leaving 92 in the institution on the 1st of December. Of these 92 convicts 30 were employed in shoemaking, 17 in the lime quarry, 17 as wheelwrights, 11 the smith's shop, 3 as tailors, and the balance as cooks, waiters, washers, &c. Two only were in solitary confinement. The crimes for which they were committed were: Larceny 37, assaults 4 (2 sentence commuted,) manslaughter 4, arson 4, burglary 4, forgery 2, rape 2, robbery 3, attempt to ravish 4, attempt to kill 2, embezzlement 1, robbing the mail 1, breaking jail 1, maiming 1, receiving stolen goods 1. The whole number of convicts received since 1824 had been 1,121, of which 146 had been pardoned out, 28 only died in prison, 4 removed to insane hospital, 8 escaped and not retaken, 2 discharged on writ of error, and 904 discharged on expiration of sentence.

THE RAILROADS.—The first train which has got through the Chicago and Aurora Railroad since the storm, arrived here yesterday evening from Mendota on time. The track is now clear, and trains will run as usual. This road has been as badly blocked up as any of the others, with the exception of the Chicago and Mississippi, many of the drifts being as high as the smoke stack of the locomotives. The work of clearing the track from Mendota south is progressing rapidly, and there is a bare possibility of the road being cleared to Springfield to-day.

The other roads remain in about the same condition. Our Eastern lines are all right and we get our mails with regularity. A train arrived here from Kankakee on Tuesday night at midnight. The Chicago branch of the Illinois Central is open to that point.

The work on the Chicago and Mississippi Road is progressing as fast as possible, and the line will be open certainly in a short time.—*Chicago Tribune, Feb. 8.*

A CENTENARIAN ATTENDING CHURCH.—On Sunday last, Mrs. MARY FARRAR, of Petersham, celebrated her one *hundredth birthday*, by attending meeting at the Unitarian Church. She appeared in good health—rose and stood unsupported during the singing, and after the congregation was dismissed, remained to join in the communion service. The thermometer stood in the morning only two degrees above zero, and a strong wind blew from the northwest through the day.

BUSINESS NOTICES.

FIRE AT SIMSBURY, CONN.—THE SAFE THAT preserved the valuable books, papers and money of Messrs. Barber & Brothers, of Simsbury, Conn., on the 3d December last, was one of WILDER'S WORLD RENOWNED PATENT SALAMANDERS, No. 7,201, and sold to them in April, 1853, by Silas C. Herring, who has since reassigned to the subscribers his right to make the same.

Fire and Burglar Proof Safes of the "same sort" to be had of the subscribers, at No. 164 Pearl-st.

E. G. WILDER & CO.,
Patentees and Manufacturers.

MORE ABOUT LOCKS.—AN ARTICLE CALCULated to mislead the public, in relation to right to manufacture and sell JONES' ROTATING PERMUTATION PLATE LOCK, (more commonly called "The World's Fair Lock,") having recently been published, the subscribers would inform all parties interested in the following notice: THE WORLD'S FAIR LOCK.

NOTICE.—I have this day sold to Messrs. Stearns & Marvin, manufacturers of Wilder's Patent Salamander Safes, New-York, the patent right of my

ROTATING PERMUTATION PLATE LOCK,
Commonly called Jones' Anti-Gunpowder Lock, or The World's Fair Lock."

The latter title was acquired in consequence of this Lock being placed on a fish at the World's Fair, with $1,000 in the fish, to be the reward of any person who could open the door.

The gold remained therein for a period of forty-five days, while the visitors got tired of turning the dials with such poor prospect of success, the number of changes being 54,300,000.

Bankers, jewelers and merchants, who desire to have these Locks upon their safes, can have them by applying to Stearns & Marvin, No. 146 Water-st., who have the exclusive right to manufacture and Locks in the United States.

HENRY C. JONES.

NEWARK, N. J., Jan. 30, 1855.

STEARNS & MARVIN
Successors to Rich & Co.,
No. 144 and 146 Water-st., New-York.

The only makers of "Salamander Safes," combining Wilder's and Rich's Patents.

PIANOS AT GREATLY REDUCED PRICES.—SUPerior toned 61-octave Pianos for $175, $200 and $225, interior as good as those which cost $400; Pianos of every variety of style, comprising those of ten different manufacturers; among them T. Gilbert & Co.'s premium Molleno Pianos, and the Hermon Waters modern improved Pianos; second-hand Pianos at great bargains; price from $40 to $150. Pianos to rent. Melodeons of every variety, from $40 to $100. Melodeons for churches, including the celebrated Mason & H. W. Smith melodeons, the best make in the United States, (tuned in the equal temperament,) all at extremely low prices. Music at the reduced rates. HORACE WATERS,
No. 333 Broadway.

HERRING'S PATENT CHAMPION FIRE-PROOF Safes, with Hall's patent powder-proof locks, the same, also, were awarded the medals at the World's Fair, London, 1851, and World's Fair, New-York, 1853 and '54, and this is the lock, and the only powder-proof lock that received a medal at the London World's Fair, the patent locks are attached and now advertised as "World's Fair Locks." The subscriber and his agents are the only persons authorized to make and sell his patent champion safe, with Hall's patent powder-proof locks.

S. C. HERRING, Green Block, Nos. 128, 130 and 132 Water-st., New-York.

SIMSBURY, Conn., Feb. 5, 1855.

S. C. HERRING, Esq., NEW-YORK:

SIR: We take pleasure in stating that the safe we purchased of you has nobly stood the test.

Our manufactory and contents were burned on the 3d December, but our valuable books, papers and money, in your safe, were preserved uninjured.

We can, therefore, with confidence, recommend your safes to the public. Yours truly,

BACON & BROTHERS.

POPULAR TRADE.—IN THE FOLLOWING GOODS we are now offering great bargains: Linen Table Damasks, Table Cloths, Linen Sheetings, Napkins, Towels, Huckaback, Brown Holts, Linen, Shirting, Sheeting, Ticking, Bonnet Silks, Gent's Black Cravats, Linen Cambric Hem Handkerchiefs, &c. E. H. LEADBETTER,
No. 307 Broadway, corner of Leonard-st.

DR. BUSH'S
BALSAMIC SYRUP OF WHITE MUSTARD.

For Colds, Coughs, Asthma, Hoarseness, difficulty of breathing, pain and soreness of the breast, and a tendency to consumption, it has no equal. Sold by C. D. BRIGGS, No. 241 Broadway; BOYD & PAUL, No. 128 Chambers-st., and C. V. CLEMENTS & CO., No. 6, Barclay-st.

BLACK SILKS—BLACK SILKS—JUST RECEIVED. Black Silks of a superior quality, which we can confidently recommend, some black and rich velvets. Also, rich and elegant Silks, in end lengths, for evening wear. E. H. LEADBETTER,
No. 307 Broadway, corner of Leonard-st.

Two Weeks' Western Trip—Winter Half-smothering in Snow—Stalling, or Resting Every Second Quarter.

From the Pittsburg Commercial Journal, Feb. 10.

The accounts of the sufferings of those passengers who were unfortunately snowed up on the frozen trains on the Chicago and Mississippi and Illinois Central Railroads, in the vicinity of Bloomington, Decatur, &c., originated in the St. Louis News of the 2d inst., are greatly exaggerated. We learn from one of the passengers arrived here, who passed through Bloomington and Decatur since the date at which the events therein related are said to have occurred, that the suffering was by no means so great as represented in that article, which is now going the rounds of the papers. No passengers were without food more than thirty hours; and only in one instance, for one night, and only on the Chicago and Mississippi road, were they were compelled to burn the seats of an emigrant car to keep the passengers in fuel. Afterwards, through the exertions of the officers of the roads, provisions and fuel were furnished.

Some of the officers and a number of the shovelers had their limbs frozen in their highly commendable endeavors to extricate the trains, but the chief suffering to passengers arose from the delay, want of communication with distant friends, and uncomfortable sleeping in the cars.

The snow was about 15 inches deep on a level, but drifted very much, so that on the prairies, which are rolling ground, it was very deep in the valleys, and the cuts on the railroad were drifted full.

One of the chief causes of the inability to work the trains through, after the first storm, arose from the entire absence of proper snow ploughs. Afterwards, a succession of snows, violent winds and consecutively cold weather, rendered all exertions to rescue the frozen up engines fruitless. The labor of fifty or a hundred men for a day would be covered up with snow as deeply as ever by a few hours of drifting.

Our informant thinks that the reality was bad enough, without making such heavy drafts upon the imagination. It was very cold, but instead of being 30° below zero, it was only a few degrees below at any time. There are many friends anxious about those who were thus caught in the terrible storm, and it is wrong to trifle with them by publishing exaggerated statements. The account of a trip at the same time, and over the same ground, will be found in our columns to-day, which is from the pen of one of the "snowed-up."

CORRESPONDENCE.

MR. EDITOR: I take it for granted you have heard of LOUTIN and CLARK's expedition, FREMONT's explorations through the Rocky Mountains, and Sir JOHN FRANKLIN's search for the North Pole, and that therefore you know something about traveling; but the last exploit in that line you have to relate of—a trip from St. Louis to Pittsburg in these modern days of railroads.

The fashionable mode of describing these things is, I believe, in the form of a *Journal*, hence my reliance upon your well-known kindness to publish this true and unvarnished account of an overland journal from St. Louis to Pittsburg—January and February, A. D., 1855.

Sunday, January 21.—In St. Louis; encountered one of the most severe snow storms known there for many years. Snow all very deep, but not much wind blowing to harrass, and the weather very cold.

Monday, 22.—Clear and cold, and ice forming rapidly on the Mississippi river.

Tuesday, 23.—Clear, cold. Left St. Louis at 9 A. M. on Ferry boat for Illinoistown and Bloomington, which terminates in Illinoistown, on the *Illinois side*. Made our way with some difficulty through the floating ice, and were landed safely a little after the usual time, and arrived in a few minutes on the Railroad, and arrived "on time," and without any special incident, at Bondurant, 61 miles from St. Louis. This is the junction point between the Ohio and Mississippi, and the Illinois Central railroad, and at which we arrived there, along course the Illinois Central train from Cairo. We were aboard and off in a few minutes. There was but little snow on the ground, and we hoped to have a fine run to La Salle, Chicago and thence to Pittsburg, all in a couple of days. We soon heard, however, that there had been no train down since Saturday, and began to have some misgivings. In a short time met the down train and left better. Arrived at Decatur, without meeting with any difficulty from snow, although it was evidently deeper as we proceeded northward. Between Decatur and Bloomington, passed into where there had been a cut made through a drift. Train stopped, began to encounter occasionally a little trouble from the snow, but worked our way without any very great obstruction, so far as Kappe, twenty-three miles north of Bloomington; here we remained all night, sleeping as well as we could, in the cars. No dinner, no supper, this day. This was the day appointed for the reassembling of the Illinois Legislature, after a Holiday adjournment, and at Decatur, we parted company with a number of the Sangamon County members, bound for Springfield, the seat of the State Government, we learned, also, that the train we had met had come through from the Mouth, having started from Bloomington only. The night was cold, but the passengers did not grumble, trying to move along on the morrow.

Wednesday, 24.—Started northward and worked up through small drifts, which had been shoveled out, to a point thirteen miles above Kappe, and five miles above Panola. As you have the names of two of these newspaper towns, I will give you them which immediately succeed, although we never succeeded in reaching them at all: Minonk, Wenona and Toulon; all derived from the native American tongue. The Railroad Company have a considerable stone station and warehouse at these points, and there established the model of future edition of the Prairie. For the benefit of those who know that this part of the Illinois Central line is the great prairie, sixty miles across. There was a few small groves of these points, but the accompanists are not very well prepared to accommodate a hungry crowd of passengers. But to return from this digression to the point where I left off, on the broad prairie, four miles above Panola. Here we commenced battling the snow, which had been but partially shoveled out of a cut, when, all of a sudden, we felt the same awful jerks, and soon enough learned that the new engine was off the track in the ditch, the forward engine, the large one, will who was hard and heavy with the forward, and then seized to and smashed both, besides damaging the two baggage cars. The engineers and firemen escape to their machines and received no serious injury, for which we were all truly thankful. Here we a fix. We had had another engine, the evening before, at Kappe; but the engineer insisted on taking her back to Bloomington. After our accident the conductor sent a hand-car back to Bloomington for another engine. He also kindly ordered up from Panola a large basket of provisions, which soon disappeared in the maws of hungry men, who

MARKET REPORTS.

[illegible]

ASHES.—The market is quiet but firm, with sales of 50 pkgs. Pearls at 12½; 50 bbls. Pots at 9½c. 9 lb. Receipts [illegible] pkgs. Pearls; and 150 bbls. Pots. The Assortment for Pearls (Tuesday) and this afternoon included [illegible]

COTTON.—This article is less inquired for, and in [illegible] in value. Sales were reported yesterday of [illegible] bales at prices [illegible] 9 lb. under those current previous to the publication of the Atlantic's news.

FLOUR AND MEAL.—State and Western brands have [illegible] prices [illegible] from Same dealers and from [illegible] Western, [illegible] Sales [illegible] 6,000 bbls. within our range [illegible]

[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
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[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

GRAIN.—Wheat is in moderate supply and limited demand at former prices. Sales were reported to-day of 2,000 bbls. Genesee at [illegible]; 1,000 bbls. Southern at [illegible]; and 500 bushels good Southern do. at $2 20 ⅌ bushel. Rye is quoted at $1 [illegible] ⅌ bushel, with but little offering and with a restricted inquiry. Barley has not varied. Oats are in fair request at full prices. The stock is diminishing. Corn is but moderately active, [illegible] Yellow, and pretty firm. This day's [illegible] 10,000 bushels from state, and 21 68 for South Shore, delivered ⅌ bushel.

HAY.—Prices are selling slowly at 90c. for shipment, and $[illegible] for local use ⅌ 100 lb.

HOP.—The market is fairly inclined, but is very dull at 20c. 6lb. for last year's crop, ⅌ lb.

HIDES.—The market is quiet at former quotations, there having been no material sales effected to-day.

LATH.—Eastern are quiet, and are worth $1 87½ each, ⅌ thousand.

LIME.—Rockland is unchanged in demand and value, there having been no receipts to contribute any movement.

MOLASSES.—Raw Orleans is in fair request at steady prices, with sales of 400 bbls. at 27½c. 6lb. ⅌ gallon. Nothing doing in other kinds.

NAVAL STORES.—We have nothing to notice in Tar or Crude Turpentine. Sales were made to-day of 150 bbls. Spirit Turpentine at 42½c. 6lb., cash, ⅌ gal., with 700 bbls. Common Rosin at $1 [illegible] ⅌ bbl., cash ⅌ gal.

OIL.—Whale and Sperm remain quiet at previous figures. 300 bushels Olive brought 62 [illegible] each. Linseed is selling from store at 70c. ⅌ gallon. Whale [illegible] are neglected. Tary cannot be considered worth over 72c. 27½c. cash, ⅌ gallon, though owners are asking more. Lard Oil has not varied.

PROVISIONS.—Pork is quiet and rather languid. Sales of 300 bbls. were made to-day at about [illegible] for new Prime; and $14 [illegible] for new Mess. ⅌ bbl. Prime Beef are [illegible] and steady. Cut Meats were purchased to the extent of 125 pkgs. at 6c. 6lb. for Hams (cash) and 6c. for Shoulders, ⅌ lb. The operations in Bacon (which is more sought after) amount to 300 boxes at 5c. 6lb. ⅌ lb. Lard is unchanged at about [illegible] 6lb. for prime, were sold at 9½c. 6lb. ⅌ lb. Beef is also in limited request at previous figures, with sales of 100 bbls. at [illegible] for Country Prime, $[illegible] for Country Mess; $11@13 for extra Western; $14@15 for repacked Chicago, &c., and $15 50@16 for extra do., ⅌ bbl. Prime Mess Beef is inactive, yet regularly quoted at $[illegible] ⅌ tierce. The sales of Beef Hams embrace 100 bbls., at $17@18 ⅌ bbl. Butter and Cheese are unchanged.

RICE.—There were 150 tierces sold at [illegible] ⅌ lb.

SOAP.—About 100 boxes Castile changed hands at [illegible] ⅌ lb.

SUGARS.—Continue quiet, but steady, with very light sales.

TALLOW.—There have been 15,500 lbs. prime disposed of at 11½c. 6lb. ⅌ lb.

WHISKY.—Is inactive and lengthy, at 31c. 6lb. for all kinds, ⅌ gallon.

FREIGHTS.—The business was not very extensive to-day. For Liverpool, rates found shippers, and the engagements comprised but 2,100 bbls. Flour, at 1s. 6d.; 2,100 bush. Corn, in bulk, at 6d.; 600 sac. Beef at 2s.; 180 bbls. Pork at about previous figures. Some Rosin, at 1½c. 6d., and 400 hhds. Sugar, at 15c., ⅌ ton. For Liverpool

OTHER SALE ADVERTISEMENTS.

STANDING ADVERTISEMENTS.

STANDING ADVERTISEMENTS.

STANDING

New-York Daily Times.

NEW-YORK CITY.

THE MARKET BANK DEFALCATION.

The Extent Understated at $225,000—Amount of the Receiving Teller.

Yesterday evening Sergeant MANSFIELD and officer PATTERSON, of the Lower Police Office, returned to the City from the South end of Long Island, having in custody a young man named WILLIAM POST SACKETT, Receiving Teller of the Market Bank. In December last SACKETT was detected in embezzling a large amount of funds from the Bank. An investigation was at once commenced by the Bank officials and the result of their labors exhibited a deficiency in the accounts of SACKETT, to the amount of twenty-five thousand dollars. At the time of the discovery of the felony, the Teller was privately arraigned before the President, Cashier, and Directors of the institution, where he confessed his guilt, and restored a large portion of the missing funds. The brief particulars of the affair were given in the DAILY TIMES, shortly after it occurred, and the Bank officers made no attempt to bring the offender to justice, and the case has been kept in secret until within a few days past.

Meanwhile, SACKETT was allowed to go on his parole, and finally proceeded to the farm-house of his father-in-law, at Smithtown, near Suffolk, L. I. On the 9th instant, RICHARD S. WILLIAMS, Esq., President of the Market Bank, appeared before Judge CONWOLLY, at the Halls of Justice, in Centre-street, and made a long affidavit, wherein he accuses SACKETT of purloining $25,000, during his two years connection with the Institution in the capacity of Teller, for receiving all funds from depositors and others, doing business with the concern. Upon these representations of Senator WILLIAMS the magistrate issued his warrant of arrest for the defaulter. When the officers arrived at their destination, they had to proceed some four miles to the whereabouts of Mr. SACKETT. The accused was brought to the City by the Western train from Greenport, and the sitting magistrate being absent, he was placed in custody of officers WEED and PATTERSON by Justice WELSH. HENRY L. CLINTON, Esq. is engaged for the defence, and a further hearing in the matter will take place some day this week. The prisoner states that during his employment in the above Bank he speculated rather heavy in Railroad Stocks and Bonds, and was, at one period, worth over $20,000 clear of the world, but in consequence of the hard times, he met with extensive losses and was unable to make good his account in the Bank. He also asserts that he returned all his assets, bonds and notes, amounting to some $17,000, to the Bank, and could not pay up the balance.

Missing Persons—Mysterious Disappearance of Men and Money.

Since New-Year's day, a number of missing citizens have been reported at the Coroner's office in Chambers-street. Among them are several mysterious disappearances of men who were considered to be in good circumstances. In the list, we noticed the name of SAMUEL LEGGETT, (the Empire City Bank Financier,) recorded as among the "missing." Below we give a full description of all the missing persons that have been recorded by Mr. McGUIRE, the Clerk to the Coroner, since the commencement of the present year:

ANDREW THOMAS, about 50 years of age, five feet five inches in height, rather stoutly built, large limbs; on one of his arms are the letters A. T., marked with India ink. He was dressed in a brown cloth overcoat, drab colored pantaloons, and a black fur hat. Any information respecting the missing man will be gratefully received by Mr. SAMUEL BOOTH, No. 102 Hester-street.

CHARLES TEMPLE, residing at No. 276 Seventh-street, has been missing some two months from his family. He was engaged in the purchase and selling of cattle at Bull's Head, and is supposed to have had a large amount of money with him. He was last seen turning out a drove of sheep at the Bestiers-street wharf. He was five feet five inches in height, had no whiskers, fair marked with the small pox. He was dressed in black casimere pantaloons, black vest, black dress coat, a sister-colored sack overcoat, and had on heavy California boots.

WILLIAM O. BUTLER, residing at No. 234 Hester-street, has been missing since the 19th of January last, at which date he was seen at the corner of Bowery and Grand-street. He was dressed in a blue cloth overcoat, with gray lining, black casimere pants and vest, red flannel undershirt and drawers, white muslin shirt, (pearl dotted) black silk cravat, glazed cap, with the under part of the front white; five feet four inches in height, black whiskers under the chin.

THOMAS HUGHES, residing at No. 96 Roosevelt-street, was drowned off Pier No. 45, East River, on the 6th inst., and his body has not yet been recovered.

MICHAEL FARRELL, residing in Brooklyn, aged 41 years, five feet one inch in height, with short neck, and stooped in a sure degree, has been missing some two weeks, and no tidings of his whereabouts have been obtained.

WILLIAM DAVIS, dark visage, black hair, whiskers on each side of his face, about 30 years old, five feet eight inches in height, and was attired in paid casimere pantaloons, black satin vest, brown sack overcoat, black hat, and heavy-footed boots. The affianced friends of this missing man reside at No. 94 Fourth-avenue, where any information will be gratefully received.

HENRY A. LIBERTON, residing at No. 40 Cortlandt-street, has been missing some ten days. He was about 30 years old, and dressed in a gray cask coat, old black vest, black pants, low quarter shoes, black neck tie, and had the scar of a wound on his forehead.

Know-Nothing Meeting.

A meeting of all the Orders of Know-Nothings was held in the Tabernacle last evening, to shield opponents for Young America. The assembly was very tedious, having lasted from 8 to 11½ o'clock,—and consisted principally in a series of scurrilous attacks on Hon. WM. H. SEWARD, Archbishop HUGHES and their adherents. SHELTON's lungs hard was in attendance, and with some members of the Continental Guards were seated in the chair seats. An emblazoned banner behind them bore the inscription,

"July 4, 1854.

Americans will defend the ashes of the heroes of '76.

STEPHEN MOORE, a policeman, was appointed Chairman. The orator of the evening was Mr. CHARLES MILLS, of street-preaching notoriety during the past Summer, who did honor to the occasion by indicting a highfalutin rhodomontade of some three hours duration.

Another BULLACK, Editor of the *Young America*, favored the audience with an explanation of the little flag that hung from the ceiling, bearing on it the letter A. He informed them that all the Whigs who sailed under that flag were A No. 1.

Brother BRANNAN said he came to see SAM, and got an introduction to him, and expressed the gratification he felt upon making his acquaintance.

A few unimportant resolutions were offered. Some songs were sung by the Young American Glee and Glee Clubs, and then the hay was begins.

Burning of Stores in Rev. E. H. Chapin's Church.

The pews in Rev. E. H. CHAPIN's Church, Broadway, were rented last evening for the ensuing year. Every desirable pew in the Church was rented, chiefly to former lessees, at last year's rates. Pews on the broad aisle were rented at from $50 to $100—children of three of the latter price; the body pews on the side aisles were all rented at prices ranging from $30 to $125; the wall pews from $25 to $100, and the gallery pews from $15 to $75. Total amount for pews rented $14,000. The pews not yet engaged will rent at about $2,000 additional.

The Church edifice, unhappily, had the pews been going vacantly as in other churches, they would no doubt have sold for at much larger figures.

The Vitriol Man.

The painter, THEODORE A. GRAY, the "vitriol man," whose fancy for the destruction of ladies' dresses in Broadway, in the evenings of last Fall, when the fair wearers were quitting the Opera after listening to the seductive strains of GRISI, was so destructive to expensive dry goods, was yesterday, in the Court of General Sessions, accepted from trial, on the ground of insanity. He will be delivered to the care of his friends, who it is to be hoped, will provide for his future innocuousness in the matter of silks and satins. Husbands are naturally anxious on this point.

The Hard-Shells.

The Hard-Shell General Committee for 1855 made another unsuccessful attempt to permanently organize last evening. Twelve of the members elect met at No. 661 Broadway, and after waiting some time in expectation of having their number increased, adjourned to meet again on Friday next.

HOMICIDE IN ORANGE COUNTY.—On Friday night, a drunken fellow named ELI MILLSPAUGH was killed by the son of a tavern-keeper named QUERRAN in the town of Montgomery, Orange County. MILLSPAUGH was ordered to leave the bar-room when the hour for closing arrived, but refused, and used offensive language. QUERRAN removed him by force, and upon his offering resistance, jumped upon and beat and kicked him until life was extinct. The assailant had not been arrested at last accounts.

☞ The Sixth-avenue Railroad changes its Conductors daily, from car to car, under the new régime. The object is said to be, to exercise a more perfect control over the Conductors, so as to prevent their appropriation of fares. The precaution has been tried on former occasions, on other lines of City communication, but unsuccessfully.

☞ Hon. JOEL PARKER of the Harvard Law School and formerly Chief Justice of New-Hampshire, commences his interesting and valuable course of lectures on Medical Jurisprudence to-day, (Tuesday) at the New-York Medical College. Both Lawyers and Doctors will be likely to find themselves interested in the subject and in his mode of treating it.

☞ The gas lamps in the Fifth Ward were not one-third lighted on Sunday night. The street-lamps on Broadway have burned dimly for several nights past. The Gas Company do not provide against the freezing of the water in the metres; and the same fault prevails in a considerable number of the large boarding houses. Provide a plenty of alcohol instead of water, and your gas will remain.

☞ A rapid thaw set in yesterday and spoiled the sleighing, which before was very good. On Broadway the Russ stones appear in many places through the muddy streaks of ice. Omnibuses are gradually reverting to first-principles, abandoning runners and taking to wheeling. The day yesterday was perfectly delightful—a treat.

☞ Several persons attached to OLE BULL's Colony of Swedes in Pennsylvania are said to have made application for aid to the Commissioners of Emigration in this City, their distresses having become great.

☞ Complaints are made against the Eighth-avenue Railroad Company, for obstructing the streets in the Sixteenth Ward by shoveling snow.

☞ The idea of founding a new Negro Church in this City is under consideration.

City Railroad Cars.

To the Editor of the New-York Daily Times:

This morning a Judge of the Superior Court, in an action brought against one of our City Railroads, by a man who had broken his leg on their Road, charged the Jury "that if the plaintiff jumped on the car before it had fairly stopped, he was heedless and negligent, and if that act was the cause of his accident, ought not to recover," or words to that effect. This is important to the patrons of City Railroads. The writer lives near the Bowery, and is in the habit more or less of daily riding on the cars. On no occasion within his recollection has he ever seen the Third-avenue cars fully stop when signalled by a man; usually they only slacken their pace to a walk. On two or three occasions the writer has allowed a car to go by without getting on rather than pursue it through mud and water. The Fourth-avenue cars he has known to stop, but they usually, likewise, only slacken to a walk. For ladies they invariably stop, and this seems to be the distinction that men are expected to jump, while ladies will be stopped for. On one occasion, when on the front of a Third-avenue car, the writer hereof, heard the driver after the bell had been rung, tell a man who had said of the track not to stop the car entirely, as no lady was getting off.

As this practice is exceedingly dangerous to the public, and is now declared to be a shield in case of accident therefrom, it would be well for the public to sacrifice a little time, even if in a great hurry, and refuse to get on a car till it fully stops. The proprietors are bound, legally, to stop for a passenger when notified, and it is right they should learn to do it on all occasions.

YORK, M.

NEW-YORK, Feb. 12, 1855.

(Advertisement.)

103 YEARS ESTABLISHED.—One hundred and three years have proved BRANDRETH'S PILLS and the human body are mutually adapted one for the other; they entirely regenerate and purify the blood; they are sure to do good, because they only take out of the body what is hurtful. *I can refer to those who have used them* ever seventy years.

Man will be born to days of comfort, compared to what has hitherto been his lot, weighed down as he has been by disease, infirmities and sufferings, which no earthly power knew how to relieve until this blessed medicine was discovered. Read:

NEW-YORK, Feb. 9, 1855.

DR. B. BRANDRETH: From the great use of tobacco, I became so debilitated about eight years ago, that my physicians considered it impossible for me to recover. I was worn down to skin and bones, was afflicted with chronic dyspepsia, and everything I ate disagreed with me. I had constant pain in my chest, my bowels were costive, and seldom moved without vehicles or medicine, which debilitated me more and more. In this condition I was recommended to use your "Vegetable Universal Pills." I did so, and gradually became restored to excellent health through their use. They mildly, yet energetically purged, and after each potion I seemed to be endowed with new life. My original robust health was soon restored, and, I thank God, I am now a vigorous man of fifty-six. But for your pills, I verily believe I should now be in my grave.

I shall be pleased to see any one at my store, and will state further particulars.

I am, very respectfully, your obedient servant,

JOSEPH KERR,

No. 615 Broadway, above Eleventh-street, or at the Irving House, New-York.

Brandreth's Pills are sold at 25 cents per box, with full directions, at the principal office, Brandreth's Building—entrance No. 68 Canal street; also at the Branch offices, Nos. 241 Hudson street, and 274 Bowery.

REMEMBER—Brandreth's Principal Office is in the Building corner of Canal street and Broadway, entrance No. 43 Canal.

(Advertisement.)

HOLLOWAY'S OINTMENT AND PILLS.—CHARLES PERKOFF, shoemaker, of Troy, was for nine months deaf and blind from a severe attack of erysipelas, but was cured in two weeks by these valuable remedies, which are infallible in any case of skin disease. Sold at the manufactories, No. 80 Maiden-lane, New-York, and No. 244 Strand, London, and by all Druggists, at 25c., 62c., and $1 per pot or box.

(Advertisement.)

☞ Professory Shaving and Shampooing Saloons, and Director of the Hair can be found by Dr. H. H. Rose, Author of the *Physical Manhood Regained*, also Dr. 152 Broadway, New-York. The success of this number of responsible people can be given on application, who have been cured of Nervous Debility, Premature Decay, Impotency, Sexual Incapacity and Secret Diseases, Pimples on the Face, Blotches, Ulcers, Gleets, Strictures, Gravel, Diseases of the Urinary Organs, Rupture, Piles, Fistula, Cancer, Tumors, Tetter, Salt Rheum, Scurvy, Ringworm, Mercurial Disease, Nervous Debility, Lost Manhood, Impotency, Sexual Decay, Lost Hair